

**Borough of Palmyra**  
**Council Caucus Meeting, 7:00 PM**  
**Monday February 4<sup>th</sup>, 2019**

**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 7:02 PM

**ROLL CALL**

Present: Mr. Brandon Allmond, Mrs. Michelle McCann, Mrs. Bernadette Russell, Mrs. Gina Tait, Ms. Mindie Weiner, President Howard, Mayor Michelle Arnold

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 11<sup>th</sup>, 2019.
- Mailing written notice to the Burlington County Times, and the Courier Post Newspaper on January 11, 2019.
- Notice to All Council Members.

**INVOCATION**

Invocation was given by Dave Confer, Palmyra Police Chaplin.

President Howard asked if this was the final agenda. Mayor Arnold indicated yes. President Howard indicated some new items were recently brought to council's attention and he felt those things should have been included on the agenda. President Howard indicated the preliminary report was received from Mr. Daniel Rosenberg regarding the investigation of potential ethical conflicts of Palmyra Mayor, Michelle Arnold. Mayor Arnold indicated that is not something which would be on the agenda. Mr. Howard indicated it should be a discussion item. Mayor Arnold stated we will continue with the agenda and if you would like to bring it up in your comments, you may.

**APPROVAL OF MINUTES**

Mayor Arnold requested a motion for approval of the, Reorganization Meeting Minutes of January 7<sup>th</sup>, 2019.

Mrs. Tait made a motion to approve the minutes from the, Reorganization Meeting January 7<sup>th</sup>, 2019.

Mrs. Russell second the motion.

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

**AYES: Mr. Allmond, Mrs. McCann, Mrs. Russell, Mrs. Tait, Ms. Weiner, President Howard**

**NAYES: None**

Mayor Arnold requested a motion for approval of the, January 22<sup>nd</sup>, 2019 Executive Session Meeting Minutes.

Mrs. Tait made a motion to approve the Executive Session Meeting Minutes from January 22<sup>nd</sup>, 2019.

Mrs. Russell second the motion.

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

**AYES: Mr. Allmond, Mrs. McCann, Mrs. Russell, Mrs. Tait, Ms. Weiner, President Howard**

**NAYES: None**

### **CORRESPONDENCE**

Mayor Arnold acknowledged an email received from Mr. Oberg owner of Currans.

Mayor Arnold also acknowledged a letter received from a resident near Market and Kennedy Streets

Mayor Arnold also acknowledged a letter received from Erin Nooney, Senior Wetlands Specialist, Mosquito Control-Board of Chosen Freeholders

Mayor Arnold acknowledged an email received from Pat Holt, Secretary to the Superintendent, Palmyra Public School District

Mrs. Russell indicated she wished to go back to the earlier discussion regarding correspondence received by council. Mr. Rosenberg stated there seems to be a disagreement between Mayor and Council. Mr. Rosenberg indicated council has the right to voice its opinion, however the agenda if set is the prerogative of the Mayor. Mr. Rosenberg indicated anyone from council can raise as an exception correspondence received which was not commented upon. Mrs. Tait asked where it should be included. Mr. Rosenberg indicated in the correspondence section. Mayor Arnold asked if the correspondence is marked privileged and confidential, then what should happen with it. Mr. Rosenberg indicated he did not believe that council would discuss or bring up something which is marked privileged and confidential. Mrs. Russell indicated that because there have been so many inquiries into this particular piece of correspondence; she felt it important to let the public know it has been received. Mrs. Tait indicated Council has received correspondence from Daniel Rosenberg regarding allegations of ethical violations of the Mayor, a packet on information of complaints and also correspondence from Mr. Ted Rosenberg regarding a letter sent to the Mayor.

### **PROFESSIONAL UPDATES**

James Winckowski, CME stated the new electronic signs are installed and up and running. Mr. Winckowski indicated Grove Park is mostly complete however we need to seed in the spring around April 15<sup>th</sup>, 2019 when the growing season begins. Mr. Winckowski also noted the Archway needs to be

painted after council indicates what color. Mr. Winckowski indicated he will be working with Public Works to update the stormwater management plan to comply with new regulations put into place last year.

William Kirchner indicated has been working on the opportunity zone map by placing block and lot numbers on the map. Mr. Kirchner indicated there was extensive work done at 609B W. Broad Street to complete the sewer connection. Mr. Kirchner explained how the sewer connection inspection turned into an extensive sewer project. Mr. Kirchner explained when the contractor went to place his trench box he hit the main sewer line of the Borough, breaking it causing an immediate temporary repair when then had to be a permanent repair of our main sewer line. Mr. Gural indicated when we receive the billing from ERI for this event; we will be asking Mr. Rosenberg to pursue every opportunity to recoup our expenses from both the homeowner and the contractor.

Mr. Kirchner explained the proposal for the piezometer wells for monitoring ground water levels. Mr. Kirchner indicated that four wells are proposed at the following locations; one at the sewer plant, Berkley Avenue pump station, in area of Second Street and Orchard Avenue and at the New Jersey Avenue pump station. Mr. Kirchner stated also one additional well at Borough Hall is also included in the proposal as an option. Ms. Weiner asked what the point was of tracking the water table. Mr. Kirchner indicated to track and provide information to residents regarding the water table. Mr. Gural indicated this will establish a base line so that we can for warning residents the water table is high, rising and or water is at a level which you can expect potential flooding. Ms. Weiner indicated she was apprehensive about spending \$12,000.00 to notify residents the water table was high. There was some additional discussion regarding the installation and use of the monitoring wells.

Mr. Kirchner explained the various 2018, 2019 and 2020 paving and road reconstruction projects. He explained what projects were still to be completed from our 2018 road project and what streets New Jersey American Water Company and PSE & G have paved so far and what they have planned for 2019. Mr. Kirchner noted the projects to be completed in our 2019 road project and also indicated what is to be completed by New Jersey American Water Company in 2019 and 2020. Mr. Kirchner stated he was contacted by the school district and they are proposing security improvements to the school which include a potential secure controlled location where people enter and exit the school. Mr. Kirchner indicated they were considering the Fifth Street entrance and are looking for some additional parking on the Fifth Street side where there currently is none between Delaware and Weart Blvd. Mr. Kirchner indicated no decisions have yet been made but this could affect the paving on Fifth Street moving forward. Some additional discussion was had regarding the school district's ideas and funding, possible grants opportunities and paving cost for 5<sup>th</sup> Street. Mr. Kirchner indicated Spring Garden Street from Park Avenue to Walnut Street is also in bad condition and is in need of repaving. Mr. Kirchner indicated PSE&G has indicated they want to come in in April to repaved Broad Street. Mr. Gural indicated the costs are astronomical for all the road work with needs to be completed. He noted that if we are going to spend our money wisely then we have to plan to complete the road work immediately which involve the utilities as the utilities are making their improvements now. Mr. Gural indicated because of the utilities' work plan our priorities had changed from Temple Blvd to these other roads that have to be completed more urgently. Mr. Gural noted that there are many things which council may find necessary to do to free up money to complete these projects including changing some previously approved proposals, re-

appropriating some funding and or completing a capital ordinance earlier in the year than we usually do. Mr. Kirchner also noted that next month on the agenda will be the resolution to authorize the submission of the permit for New Jersey Avenue sewer line replacement to the State. Mr. Kirchner also stated that there are still some issues on Leconey Avenue which are on their punch list and will be addressed soon.

## **PUBLIC PORTION**

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

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

**Mrs. Butler – Arch Street**– Mrs. Butler asked where Old River Road was located. Chief Pearlman explained the location. Mrs. Butler asked why we would be paving it as she thought it went to the creek. Mr. Gural explained the utility companies are working over there and have torn up the street and have to repave it, he also noted there are about five homes located over there. Mrs. Butler indicated several meetings ago she mentioned naming Grove Park after Chief Payton Flournoy the first Black Police Chief in the Borough as well as in the United States. She asked if it will be considered and if someone could get back to her and let her know.

**Mrs. Bullock – Arch Street** – Mrs. Bullock asked if Resolution 2019-83 and Resolution 2019-84 appointing Tracy Kilmer as Fire Official and Construction Official are both paid positions and if she can hold two paid positions in the Borough. Mr. Gural noted they are both paid positions and Ms. Kilmer holds five paid positions in the Borough. Mrs. Bullock inquired why she holds five positions and couldn't the Borough find anyone else for some of those positions. Mrs. Bullock asked how efficient she is in doing all five positions. Mr. Gural indicated she is very efficient in completing all of those positions. Mr. Gural noted Mrs. Kilmer has been the Fire Official since 1996 and the Construction Official since 2003. Mr. Gural noted many of our employees hold more than one position, on our website is our salary ordinance which indicates which positions are held, by whom and the salary for each position. Mrs. Bullock asked if the job descriptions were included. Mr. Gural indicated no, all the positions which Mrs. Kilmer holds are as defined by State statute, and those job descriptions would be available from the state.

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

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

## **RESOLUTIONS Consent Agenda**

Mayor Arnold indicated Resolution 2019-76 and Resolution 2019-82 to Resolution 2019-74 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 asked if any resolutions needed to be removed from the consent agenda. Mrs. Russell and Mrs. Tait requested Resolution 2019-76 be removed from the consent agenda.

**Resolution 2019-76**, Resolution in Support of Path to Progress Recommendations Made by New Jersey Economic and Fiscal Policy Workgroup

**Resolution 2019-82**, Resolution Approving Participation with the State of New Jersey Federal Grant Program Administered by the Criminal Justice, Department of Law and Public Safety

**Resolution 2019-83**, Resolution Appointing Tracy Kilmer as Fire Official of the Borough of Palmyra for a three year term, effective January 1, 2019 is ending December 31<sup>st</sup>, 2021.

**Resolution 2019-84**, Resolution Appointing Tracy Kilmer as Construction Official for the Borough of Palmyra

**Resolution 2019-85**, Resolution of the Borough of Palmyra Authorizing the Removal of a Handicapped Parking Sign at 601 Delaware Avenue

**Resolution 2019-86**, Resolution Awarding a Contract to ERI for the Installation of Piezometer Wells for the Purpose of Monitoring Ground Water Levels per their proposal dated January 21<sup>st</sup>, 2019 in the amount of \$14,750.00

Mayor Arnold asked for a motion to approve the consent agenda Resolutions 2019-82 thru Resolution 2019-86. Mrs. Russell made a motion to approve Resolutions 2019-82 thru Resolution 2019-86. Mrs. Tait seconded the motion.

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

**AYES. Mr. Allmond, Mrs. McCann, Mrs. Russell, Mrs. Tait, Ms. Weiner, President Howard**

**NAYES. None**

**Resolution 2019-82 thru Resolution 2019-86 were approved**

Mayor Arnold went to **Resolution 2019-76**, Resolution in Support of Path to Progress Recommendations Made by New Jersey Economic and Fiscal Policy Workgroup

Mrs. Russell indicated she was not in favor of moving forward with this resolution for vote as there is additional information needed and there are still many questions regarding exactly what the recommendations are. Ms. Weiner asked Mr. Rosenberg if he had looked into it. Mr. Rosenberg indicated he was not asked to look into it. Ms. Weiner and President Howard indicated more time and information was needed. Mr. Allmond indicated he believed the State was looking at radical changes due to financial crisis at the state. Some discussion ensued and it was decided to table this resolution until additional information could be obtained.

Mrs. Russell made a motion to table Resolution 2019-76. President Howard second the motion

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

**AYES. Mr. Allmond, Mrs. McCann, Mrs. Russell, Mrs. Tait, Ms. Weiner, President Howard**

**NAYES. None**

## **COMMUNITY SPOTLIGHT**

Mayor Arnold stated Read Across America is March 4<sup>th</sup>, 5<sup>th</sup>, and 8<sup>th</sup>, 2019.

Mayor Arnold stated Miller's Temple will be hosting a Black History Month program on February 23<sup>rd</sup>, 2019 at 1:00 pm.

The Annual Fisherman' Flea Market, hosted by the Fire Company will be held February 10<sup>th</sup>, 2019 at Charles Street School

Mayor Arnold noted the Senior Program will be hosting the daughter of Katheryn Johnson, portrayed in the movie "Hidden Figures" on April 3<sup>rd</sup>, 2019 at the Community Center.

Mayor Arnold stated it is also February, random acts of kindness month.

Mrs. Russell indicated Valerie Still is an official inductee into the women's basketball hall of fame.

### **PUBLIC REMINDERS**

Mayor Arnold indicated bulk trash is the first Monday of the month; all mattresses need to be bagged.

Brush and limbs are picked up on the second Monday of the month and beginning in April we will begin picking up leaves.

Mayor Arnold indicated a new State law which took effect on January 1<sup>st</sup>, 2019 now requires smoke detectors be sealed with a ten year battery.

### **DISCUSSION ITEMS**

Mrs. Tait indicated the new date for MLK Day of Service in the Community Center is February 18<sup>th</sup>, 2019, the clean-up will take place from 9:30 am to 1:00 pm and from 6:30 pm to 8:00 pm the call to action program will take place. Mrs. Tait indicated they are still working on a program for Black History Month and additional information will follow.

Mr. Gural indicated the current agreement with the school regarding the SRO Officer expires in June of 2019. Mr. Gural indicated he and Chief Pearlman met with the Superintendent and Business Administrator of the School District last week. Mr. Gural indicated there was conversation about supplementing the SRO with a Class III SLEO Officer which is a retired police officers dedicated as SROs. Mr. Gural stated Chief Pearlman provided him with the cost for hiring either of the two and the cost is about the same. Mr. Gural noted the Class III SELO Officer can only be used as a SRO Officer and is a Part-time employee. Mr. Gural stated the information will be forwarded to the school and he will get back to council with additional information once they have spoken with the School District.

Mr. Gural indicated the term of Judge Ahart will end on March 20<sup>th</sup>, 2019. Mr. Gural stated Mr. Ahart has been properly rice noticed. Mr. Rosenberg stated by statue the Judge's appointment must be for a three year term, no longer or shorter. Ms. Weiner asked if the positions were tenured. Mr. Rosenberg indicated no.

Mr. Gural noted when the contractor came to begin the Grove Park improvements he removed and destroyed the PRC Lions Club bench before we had the opportunity to remove. Mr. Gural indicated he spoke with them and they have been very understanding and are requesting in lieu of the bench being replaced are .requesting a plaque be mounted to one of the current benches in the name of the PRC Lions Club. Mayor Arnold indicated that was a perfect solution.

Mr. Gural indicated during the budget process last year we discussed the hiring of a gardener to tend to the flower beds in the Borough. Mr. Gural indicated we need expert help. Mr. Gural indicated he would contact Joe Enrich, master gardener to ask what the basic qualifications should be. After some discussion council decided to move forward with hiring a gardener.

Mr. Gural explained to Borough Council the importance of signing the purchase orders and asked that they be signed right away. Mr. Gural gave council a draft copy of the proposed policy for purchase orders which is currently being worked on and indicated when that policy is adopted they will not have to sign off on them.

Mr. Gural indicated the new signs are installed and requests are already coming in for various things to be posted on the signs. Mr. Gural asked for a policy/ guidelines regarding the posting and usage of the digital signs. Mr. Gural stated we will not accept any requests until we have some guidelines for event posting. Borough Council decided the Communications Committee will take on that project.

Mayor Arnold inquired about the date for the budget workshop meeting. March 16<sup>th</sup>, 2019 was suggested, all of council will check and get back to Mr. Gural if ok.

### **Old Business**

Mr. Gural indicated he and Mr. Rosenberg had previously written an ordinance allowing for a time change to the alcoholic beverage sales time on Sundays. Mr. Gural and Rosenberg indicated this is as it was before and has not been changed just whatever hours council wishes to use, need to be inserted.

Mr. Gural again explained how the ordinance reads regarding open hours and closed hours. Ms. Tait asked if this could be introduced tonight. Mrs. Weiner indicated the time originally requested was 10:00 am but she would be willing to compromise to change the time to 11:00 am. Mrs. Tait indicated it she felt 10:00am was too early and 11:00 am or 11:30 am would be better. After some discussion amongst Council; Mrs. Russell made a motion to Adopt Ordinance 2019-01, An Ordinance of the Borough of Palmyra Amending Chapter 70, Alcoholic Beverages – Hours of Operation of the code of the Borough of Palmyra. President Howard seconded the motion.

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

**AYES: Mr. Allmond, Mrs. McCann, Mrs. Russell, Mrs. Tait, Ms. Weiner, President Howard**

**NAYES: None**

**Ordinance 2019-01 was approved at first reading and public hearing will be held on March 4<sup>th</sup>, 2019 at 7:00 pm.**

Mayor Arnold indicated she attended another cannabis seminar and has some people in place for the forum. Mayor Arnold indicated she is looking at holding the cannabis forum around the second week in March but will get back to council with additional information

Mayor Arnold noted she spoken with the contractor regarding the engraving of the pavers in Grove Park and he indicated he could come out beginning the end of May. Mayor Arnold indicated the email address is open and the form will be posted on the website tomorrow.

Mr. Gural reminded all that the snowflakes are still up and to maximum the use of funds we were hoping to hang the new banners up when they were taking down the snowflakes. Mr. Gural indicated a decision needs to be made soon. Ms. Weiner indicated it would be taken up in committee on this coming Thursday when they have their meeting.

Mr. Rosenberg indicated the State of NJ has a law which imposes a business personal property tax on a telecommunications carrier that has 51% or more within the Borough. Mr. Rosenberg stated Verizon

was the only company which this effected. Verizon filed a lawsuit in the tax court. Mr. Rosenberg indicated the revenue at stake to the Borough of Palmyra is less than \$100.00 per year. A business decision was made not to fight this as the costs for the Borough's attorneys would be more than what could be gained. Mr. McMahon, Borough Assessor agreed the Borough should not spend any money instead the Borough should monitor what is going on with the lawsuit.

### **ADMINISTRATOR'S REPORT**

Mr. Gural indicated the Police Department received a call regarding and dog outside in the yard at 300 Arch Street. When the officers arrived they noticed the additional animals inside the house. Animal Control was contacted and those animals were removed. Mr. Gural indicated the condition of the garage wall was observed in determined to be unsafe by the Construction Official, Mrs. Kilmer. After several notifications and determinations the garage was demolished at that property. Mr. Gural indicated the property owner and his attorney have been notified of the requirements to make the property habitable and the property owner has been issued summons to appear in municipal court. Mr. Gural reminded council of the Elected Officials Liability Seminar scheduled for March 21<sup>st</sup>, 2019 at O'Connor's in Easthampton.

Mayor Arnold indicated the basement water pumps are in and at public works for residents to borrow. Mr. Gural indicated he received an email from Chief Dreby regarding the cost of repairs for the structural issues at the Fire House. The email indicates the cost is about \$50,000.00 and currently they are not in position to make those repairs as they are under contract with Marandino to repave the parking lot which is about \$44,000.00. Mr. Gural and Chief Dreby indicated the department has moved things around so the ladder truck can be accommodated and the floor repair will be considered at a later date. President Howard inquired if the structural repairs need to be completed right away and if it was possible to get out of the contract with Marandino. Chief Dreby indicated they could not get out of the contract and with the movement of the various pieces of equipment for the immediate future they would be ok.

Mr. Gural asked council to take a look at the website and notify him if any changes which need to be made regarding incorrect information.

Mr. Gural also noted he has manuals from the Bowman seminar, which could not be attended by all due to weather, for everyone on council and also noted he had copies of the JIP 2018 State of the Fund reports for anyone wishing to have them.

Ms. Weiner asked about the letter received from the resident on Market Street. Chief Pearlman indicated the department was already addressing the issues prior to the letter coming in. Chief Pearlman stated Mr. Adams is not related to anyone in the police department and he gets no breaks. Chief Pearlman stated if vehicles are legally parked, registered, and insured there is nothing the department can do to remove them from the street. Chief Pearlman indicated all the vehicles talked about are not on the street and are therefore out of his jurisdiction and become a code enforcement and or land use issue. Chief Pearlman also noted all the vehicles down in that area are not Mr. Adams, some of those vehicles are owned by Mr. DaSilva who owns 117 Market Street in addition to 300 Arch Street.



Mayor Arnold indicated she attended the Palmyra Harbour Condo Association meeting and noted they are looking into solar energy and they approved their budget and elections for their Board are ongoing. Mayor Arnold indicated she attended a meeting for the county sheltering plan and is working with the Mayor of Riverton to put some ideas together.

### **COMMITTEE REPORTS**

**Mrs. Russell** stated the shade tree will be meeting on Wednesday. Mrs. Russell noted the construction committee has been focused on the complaints received from construction office. Mrs. Russell indicated she was hoping to have a conversation regarding the correspondence received from Mr. Dan Rosenberg, and our plan to move forward. Mrs. Russell indicated she believed all of council was in possession of the preliminary report of investigation of potential ethical conflicts of Palmyra Mayor Michelle Arnold, the package of complaints from the construction office and Mr. Ted Rosenberg's letter addressing the complaints and report. Mrs. Russell stated these items need to be addressed. Mayor Arnold asked what the outlook was for the upcoming year for the construction committee. Mrs. Russell indicated once these issues are addressed we plan to work on the sign ordinance which is very complicated.

**Mrs. McCann** indicated the admin and finance committee will be meeting on the 7<sup>th</sup> of February.

**Ms. Weiner** stated the business and community development committee will be meeting on the 7<sup>th</sup> of February as well. Ms. Weiner indicated the Riverfront Homeowners association will be meeting on February 19<sup>th</sup>, 2019 and the Green Team will be meeting soon.

**Mayor Arnold** noted moving forward we will have committee reports only once a month not twice. Ms. Weiner inquired if the Land Use Board Class III Member was going to be appointed and if there were time requirements for the position to be filled. Mayor Arnold noted she was working on it. Ms. Weiner indicated she would be happy to fill that position. After some discussion Mayor Arnold again indicated she was working on it.

**Mrs. Tait** stated she attended the County's OEM meeting which was very enlightening and she will be forwarding information the Council regarding said meeting. Mrs. Tait indicated the public safety committee had a meeting with Chief Pearlman and is hoping to soon hold Lieutenant interviews soon.

**Mr. Allmond** noted the communications committee is working on improving real time updates and increasing social media traffic. Mr. Allmond indicated additionally they are working on a sign usage policy and the next edition of the Borough Newsletter.

**President Howard indicated** public works met with Mr. Gural on the 29<sup>th</sup>, of January and discussed how things are working without a superintendent at the location. President Howard indicated Mr. McGill is handling a lot of the daily responsibility. President Howard noted they have found some reports and invoices are behind as let by the previous superintendent but they are sorting their way thru. President Howard indicated Linda is in Boro Hall training and while Marie is out. President Howard indicated they again spoke about a master gardener for public works to help with the parks and municipal grounds and flower beds and noted the committee also talked about giving more responsibility to the community center staff regarding projects etc. President Howard asked what the steps were to rename Grove Park. Mayor Arnold asked if they could get together to talk about the details and then get back to council. President Howard agreed. Some discussion ensued and President Howard noted a Proclamation

and or Resolution may be completed first and when the weather breaks and we go into the park a formal dedication could take place. President Howard indicated they are still working on the rules and regulations for the field usage and the community center, he noted they are hoping to have a hard draft in the spring.

Ms. Weiner stated the PIA, Palmyra Improvement Association is looking for a liaison from Borough Council. Mayor Arnold stated the PIA is an independent 501c3, why would the Borough have a liaison with the PIA, we don't do that with every other 501c3 organization. Ms. Weiner indicated that organization utilizes Borough facilities to their functions and host some big events. It was noted many organization use our facilities but we do not have a liaison to every organization. Some discussion occurred and council moved on to the next public comment.

#### **PUBLIC COMMENT**

Mayor Arnold then asked for a motion to open the 2<sup>nd</sup> Public Portion. Mrs. Russell made a motion to open the public portion for comments. President Howard second the motion

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

**Mr. Rader – Harbour Drive**– Mr. Rader stated for over three years the democratic members of council have referred to alleged ethical violations during open public meetings. Three thousand dollars of taxpayer funds have been allocated for this investigation. The statements made by Mrs. Tait on June 18<sup>th</sup>, 2018 regarding allegations of conflicts and all documents referring to conflicts of interest should be available for publics review because of open public allegations and the use of public funds to pay for the investigation..

**Mrs. Holloway –Broad Street** – Mrs. Holloway asked how the governing body would be moving forward with the hiring of the gardener. Mayor Arnold indicated Mr. Gural would be taking care of the hiring. Mr. Gural noted is would be hiring another employees of the Borough, we would advertise and hire the best qualified candidate. Mrs. Holloway indicated the holiday decorations were nice and were put up very nicely however many people felt the snowflakes were too small for the poles and the bows could not be seen at night. Mrs. Holloway asked if council was aware that the house on Market and Jefferson Street may also have cats and dogs locked inside. Mr. Gural indicated it is being looked at. Mrs. Holloway indicated she goes pass 515 Race Street at night and she does see lights on the second floor. Mr. Gural noted it is being worked on and we are going after the tenant as the property owner has not been located or cooperating. Mr. Gural stated many summons have been issued.

**Mrs. Rinier –Leconey Ave** – Mrs. Rinier indicated they moved here about seven months ago and the house next door, 503 Garfield Avenue, which had a fire and squatters they were wondering what will happen with that property and if they wanted to buy it how would they.. Mr. Gural stated he would look into the property maintenance issues but to purchase it they would need to contact to owner.

**Mrs. Bullock- Arch Street-** Mrs. Bullock asked were her taxes paying for the ethical investigation. Mayor Arnold indicated yes. Mrs. Bullock asked if there was another way this matter could have been handled and not spend tax payer funds. Mayor Arnold indicated yes there were other avenues, however that's the way council chose to proceed. Mrs. Bullock stated she lives directly across the street from 300 Arch Street and she filled out at least four complaints regarding the house since 2016. Mrs. Bullock indicated all the complaints she made seemed to not be addressed until there was a complaint about a dog in the yard. Mrs. Bullock noted the two by fours holding the garage wall up have been there for a very long time, no one came down to look at the property so it just went unnoticed .and unaddressed. Mrs. Bullock indicated she made a comment to ABC Channel 6 when they asked because that was how she felt. Mrs. Bullock indicated she tried to sell her home over the past two years but because of 400 Arch Street and 300 Arch Street it has not been able. Mrs. Bullock thanked council for what has been done but noted it should have been done a long time ago.

**Mrs. Butler – Arch Street** – Mrs. Butler stated she has dealt with 400 Arch Street for a very long time, placing many, many complaints regarding the condition of the property. Mrs. Butler indicated she was happy to see it gone but also noted it should not have taken four years for it to happen. Mrs. Butler indicated her daughter Tracii who lives at 312 Arch Street, was home sick but wanted Council to know she and her husband both have complained about 300 Arch Street for many years. Mrs. Butler indicated it should not have taken the water Company or channel 6 to get something done at 300 Arch Street. Mrs. Butler indicated she did not like fact that some people on the governing body were soliciting opposite party affiliations to run on the ticket. Mrs. Butler also indicated she was sorry to see that council had decided to lower the standards bar of Palmyra by allowing the sale of alcohol at 11:00 am on Sundays.

No one else from the public wishing to be heard, Mrs. Russell made a motion to close the public portion, President Howard seconded the motion.

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

#### **MAYOR AND COUNCIL COMMENTS**

**Brandon Allmond** indicated no comment.

**Michelle McCann** indicated no comment

**Bernadette Russell** stated in listening to some of the comments from the residents tonight she was wondering if there is a way the process can be streamlined. Mrs. Russell indicated the information must come in from the community or we are unaware of it. Mrs. Russell indicated there is a process and property owners do have rights.

**Gina Tait** indicated everyone should stay warm.

**Mindie Weiner** indicated no comment.

**Mr. Howard** inquired if the issues presented in correspondence could be talked about in the executive session. Mr. Rosenberg indicated yes. Mr. Rosenberg noted at some point either tonight or in the near future, Council needs to make some decisions regarding the recommendations made by the ethics counsel.

**Mayor Arnold** thanked everyone for coming out, and to “Be kind to one another and be good neighbors”.

Mayor Arnold inquired of Mr. Gural and Mr. Rosenberg if there was anything which needed to be discussed in closed session. Mr. Gural indicated he did not. President Howard stated there were some things which needed to be talked about in closed session. Mayor Arnold indicated without prior notification she did not feel it was appropriate to go into closed session regarding that matter this evening. There was some additional discussion regarding entering closed session. Mr. Rosenberg stated that if there was a motion made to go to closed session and it was seconded and the majority of the vote was yes, then a closed session could be convened this evening.

Mrs. Russell made a motion to approve **Resolution 2019–88**, Resolution Excluding the Public from Certain Meetings pursuant to section 89 of the Open Public Meeting Act C. 231 P.L. 1975 regarding **Potential Litigation and Contract Negotiations**. Mrs. Tait second the motion.

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

**AYES: Mr. Allmond, Mrs. McCann, Mrs. Russell, Mrs. Tait, Ms. Weiner, President Howard**

**NAYES: None**

Borough Council went into closed session at 10:07 pm

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

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

**All voted in favor**

Borough Council returned from closed session at 10:36 PM

Mrs. Russell made a motion to approve **Resolution 2019–89**, Resolution to allow the Mayor the opportunity to confer with counsel as to whether or not she should recuse herself from participation in executive session dealing with contract negotiations with Daniel Rosenberg, Esq. regarding further work as ethics counsel in connection with an investigation. Mrs. Tait second the motion

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

**AYES: Mr. Allmond, Mrs. McCann, Mrs. Russell, Mrs. Tait, Ms. Weiner, President Howard**

**NAYES: None**

Mrs. Russell made a motion to approve **Resolution 2019–90**, Resolution to authorize the solicitor to initiate an application to the court to resolve the issue as to whether the mayor should recuse herself with respect to executive session discussions dealing with the investigation pertaining to her conduct and the contract negotiations dealing with the retention of Daniel Rosenberg, Esq. or another attorney to continue the investigation.

Mr. Rosenberg noted that there has been no finding to date that the Mayor has done anything whatsoever that is improper. The only thing that has been received is a preliminary investigation.

Mrs. Tait second the motion

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

**AYES: Mr. Allmond, Mrs. McCann, Mrs. Russell, Mrs. Tait, Ms. Weiner, President Howard**

**NAYES: None**

Mayor Arnold asked for a motion to adjourn. Mrs. Russell made a motion to adjourn the meeting, President Howard seconded the motion.

All members present voted in favor on the motion

**Meeting adjourned at 10:43 PM**

Respectfully Submitted

Doretha R Jackson

Municipal Clerk