

MINUTES - MARCH 12, 2012

BOROUGH OF PALMYRA MINUTES-MARCH 12, 2012

CALL TO ORDER

ROLL CALL:

Present: Mayor Scheffler, President Brahl, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross and Mr. Schwering (student representative).

Absent: Ms. Dobbs.

PLEDGE OF ALLEGIANCE.

MOMENT OF SILENCE.

OPEN PUBLIC MEETINGS STATEMENT

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

- A. Posting written notice on the official bulletin board at the Palmyra Borough Hall on January 12, 2012.
- B. Mailing written notice to the Burlington County Times, and the Courier Post Newspaper on January 12, 2012.
- C. Notice to All Council Members.

CORESPONDENCE.

- A. Letter of approved funding from Delaware Valley Regional Planning Commission for

Traffic Calming Plan. Mayor Scheffler announced that the borough has received a grant in the amount of \$32,000 from the Delaware Valley Regional Planning Commission for traffic calming plan.

B. PROCLAMATION- Proclamation Declaring March 11-17, 2012 Flood Safety Awareness Week. Mayor Scheffler read the proclamation into the record. Mrs. Kilmer explained that the proclamation was part of the requirements for the reduced flood insurance rates.

C. PROCLAMATION-50th Anniversary of National Poison Week. Mayor Scheffler explained that this year's marks the 50th Anniversary of National Poison Week. The proclamation is to show commitment to protecting residents, especially children from potentially harmful poisons.

D. Appointment-Mayor Scheffler appointed Matthew Kaelin to the Ad-Hoc Committee.

APPROVAL OF MINUTES. Approval of minutes for February 6th, 2012 and February 13, 2012. Mr. Norcross made a motion to approve the minutes from February 6th and 13th, 2012, President Brahl second the motion. All members present voted in favor of the motion.

ORDINANCES ON SECOND READING. (public hearing).

A. Ordinance 2012-2, Ordinance Of The Borough Of Palmyra
Rescinding Ordinance 2003-6, An Ordinance Providing For The Creation Of A Shade Tree Commission Of The Borough Of Palmyra For The Purpose Of The Regulation, Planting, Care And Control Of Shade And Ornamental Trees And Shrubbery In The Streets, Highways, Public Places Of The Borough Of Palmyra And Providing for The Enforcement Thereof. Mr. Rosenberg discussed that his understanding was that a subcommittee would provide him the information after they had met. President Brahl made a motion to open the ordinance to the public, Mr. Bostock second the motion. All members present voted in favor of the motion.

Mr. Howard- inquired as to what happens to the shade tree commission if the ordinance is rescinded? Mayor Scheffler replied that the ordinance to rescind the tree commission would not take effect until after April 5th and that the council will have in place on April 2nd the ordinance to establish the tree commission, so that there will be no lapse in coverage.

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

Mr. Norcross made a motion to adopt the ordinance Mr. Dorworth second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross.

NAYES: None. The ordinance was adopted on second and final reading and will take effect after publication according to law.

B. Ordinance 2012-3, An Ordinance Providing For The Creation Of A Shade Tree Commission Of The Borough Of Palmyra For The Purpose Of The Regulation, Planting, Care And Control Of Shade And Ornamental Trees And Shrubbery In The Streets, Highways, Public Places Of The Borough Of Palmyra And Providing for The Enforcement Thereof. Mayor Scheffler recommend that this ordinance be continue until April 2nd meeting. President Brahl made a motion to open the ordinance to the public, Mr. Dorworth second the motion. All members present voted in favor of the motion.

Mr. Howard-inquired what the main changes to the ordinance will be and will the terms of office change. Mayor Scheffler explained that there are no major changes expected and that it is really one section that will be changed. Mr. Howard inquired as to why the current ordinance was not amended instead of rescind. Mr. Rosenberg explained that the cleanest way to amend the ordinance was to do a complete new one. Mrs. Riener discussed that the ordinance was rescind due to terms of office not being clear on the record of the shade tree minutes and that the new ordinance will make sure that the commission is functioning correctly. Mr. Rosenberg informed council and the public that the state statue is clear with specific terms for the commissioners and that if the terms of the members were not clear, it could jeopardize any action taken by the commission. The easiest approach was to redo the entire ordinance. President Brahl and Mrs. Riener made a motion to close the public portion. All members present voted in favor of the motion. President Brahl made a motion to continue the ordinance until the April 2nd meeting, Mrs. Riener second the motion. All members present voted in favor of the motion.

C. Ordinance 2012-4, An Ordinance Adopting The Robert's Rules Of Order As The Procedural Rules To Govern The Conducting Of Meetings Of The Governing Body And All Commissions, Committees and Boards Appointed By The Governing Body. President Brahl made a motion to open the ordinance to the public, Mr. Norcross second the motion. All

members present voted in favor of the motion. No one from the public wishing to be heard, President Brahl made a motion to close the public portion, Mr. Dorworth second the motion. All members present voted in favor of the motion. President Brahl made a motion to adopt the ordinance, Mr. Dorworth second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross.

NAYES: None. The ordinance was adopted on second and final reading and will take effect after publication according to law.

D. Ordinance 2012-5, An Ordinance Amending Chapter 248 Taxicabs. President Brahl made a motion to open the ordinance to the public, Mr. Dorworth second the motion. All members present voted in favor of the motion. No one from the public wishing to be heard, President Brahl made a motion to close the public portion, Mr. Norcross second the motion. All members present voted in favor of the motion. President Brahl made a motion to continue the ordinance to the April 9th meeting, Mr. Bostock second the motion. All members present voted in favor of the motion.

E. Ordinance 2012-6, An Ordinance Amending The Land Development Code Of The Borough Of Palmyra Regarding Signs. Mr. Rosenberg informed council that the additional language requested by Mrs. Riener concerning Route 73 signs was added to the ordinance. Mr. Norcross made a motion to open the ordinance to the public, Mrs. Riener second the motion. All members present voted in favor of the motion. Mr. Fratto-Broad Street inquired about the comments that the BID had presented on the sign ordinance for the downtown area. The comments were provided last fall and had also met with representatives in 2010 about their concerns. The BID will request amendments to the ordinance if adopted this evening. Mayor Scheffler explained that amendments could be made by council after reviewing the BID's request. President Brahl made a motion to close the public portion, Mr. Norcross second the motion. All members present voted in favor of the motion. Mr. Norcross made a motion to adopt the ordinance, Mrs. Riener second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Mrs. Riener, Mr. Dorworth, Mr. Norcross.

NAYES: Mr. Bostock. The ordinance was adopted on second and final reading and will take effect after publication according to law.

F. Ordinance 2012-7, An Ordinance To Exceed Municipal Budget

Appropriation Limits And To Establish A CAP Bank (N.J.S.A. 40A:4-45.14). President Brahl made a motion to open the ordinance to the public, Mr. Bostock second the motion. All members present voted in favor of the motion. No one from the public wishing to be heard, President Brahl made a motion to close the public portion, Mr. Norcross second the motion. All members present voted in favor of the motion. President Brahl made a motion to adopt the ordinance, Mr. Norcross second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross.

NAYES: None. The ordinance was adopted on second and final reading and will take effect after publication according to law.

ORDINANCES ON FIRST READING. (public hearings on April 2).

A. Ordinance 2012-8, An Ordinance To Amend And Supplement The "Route 73 South Redevelopment Plan" As Adopted By Ordinance 2003-7 And Ordinance 2005-16A Of The Borough Of Palmyra. Mr. Rosenberg informed council that this amendment was due to the litigation by Filliet Corporation and that the Land Use Board has reviewed the proposed plan for the ordinance. President Brahl made a motion to adopt the ordinance on first reading, Mrs. Riener second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross.

NAYES: None. The ordinance will be heard on second and final reading at the council meeting of April 2nd, 2012 after publication according to law.

B. Ordinance 2012-9, An Ordinance Rescinding Ordinance 2006-22, An Ordinance of the Borough of Palmyra Creating A Sewer Advisory Commission. Mr. Gural discussed that the sewer commission was created a number of years ago and it was a means for the public to be involved with the issues. In the past few years, there has been no real reason for the commission to meet and all issues are usually addressed by council. Mr. Norcross made a motion to adopt the ordinance on first reading, President Brahl second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross.

NAYES: None. The ordinance will be heard on second and final reading at the council meeting of April 2nd, 2012 after publication according to law.

C. Ordinance 2012-10, An Ordinance Supplementing The Handbook For The Non-Uniformed Employees For The Borough Of Palmyra. Mr. Gural explained that this ordinance is to regulate the information for referrals and letters of recommendation from employees and previous employees. Mr. Rosenberg agreed that this ordinance is needed to avoid any litigation for giving out the incorrect information. The only information that is allowed to be given out is the dates of work, if they work for the borough and no recommendations should be out. Mr. Rosenberg recommended that council readopt the handbook annually at reorganization as suggested by Mr. Norcross. Mr. Gural explained that there will be a new handbook in the next few weeks as required by JIF. Mr. Rosenberg explained that council could implent changes by resolution during the year. Mr. Gural discussed waiting until this ordinance was effective in April and that the new handbook should be ready for adoption in May and that this ordinance will be a part of the new book. Mr. Rosenberg recommend doing the ordinance as a resolution on a short term bases. President Brahl inquired if there was a timeline needed for the adoption of the policy. Mr. Gural replied that there are outstanding requests for referrals about employees waiting. President Brahl discussed that a resolution as suggest by Mr. Rosenberg would be easier and faster to implent the policy. Resolution 2012-70, Resolution Supplementing The Handbook For Non-Uniformed Employees In Regards to Employment Verification And Referrals. President Brahl made a motion to approve the resolution, Mr. Norcross second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross.

NAYES: None.

D. Ordinance 2012-11, An Ordinance Amending Ordinance 1998-1, An Ordinance Amending Code Of The Palmyra Of Entitled "Dogs" section 2A-Expiration; Fees. Mrs. Sheipe explained that this would change the date of the dog and cat licenses to be due on January 1st of each and that the late charge would not be enforced until after May 31 of each year. Mr. Norcross made a motion to adopt the ordinance on first reading, Mr. Dorworth second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross.

NAYES: None. The ordinance will be heard on second and final reading at the council meeting of April 2nd, 2012 after publication according to law.

RESOLUTIONS.

Consent Agenda- Resolution 2012-60 to Resolution 2012-68 will be enacted as a single motion, if any resolution needs additional discussion it will be removed from the consent agenda and voted on separately.

- a.** Resolution 2012-60, Resolution Cancelling Outstanding Checks On The Financial Records Of The Borough Of Palmyra.
- b.** Resolution 2012-61, Resolution To Refund TaxSale-Certificate #10-00084 Erroneously Sold At Tax Sale.
- c.** Resolution 2012-62, Resolution Authorizing The Tax Collector To Cancel Sewer Taxes On The Properties Listed Due Erroneous Double Billing.
- d.** Resolution 2012-63, Resolution Certifying Recycling Tax.
- e.** Resolution 2012-64, Resolution Appointing A Clean Communities Coordinator For The Borough Of Palmyra.
- f.** Resolution 2012-65, Resolution Appointing Thomas Ryan As Stormwater Coordinator.
- g.** Resolution 2012-66, Resolution Authorizing The Payment Of Borough Bills.
- h.** Resolution 2012-67, Resolution Awarding Contract To Fillit Inc. For The Receiving Of Brush, Branches And Leaves For The Year 2012.
- i.** Resolution 2012-68, Resolution Market Street Ramps And Burlington County Bridge Commission. Mayor Scheffler read the resolutions by title into the record. Mr. Norcross made a motion to approve the consent agenda Resolutions 2012-60-Resolutions 2012-68, Mr. Dorworth second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross.
NAYES: None.
- j.** Resolution 2012-69, Resolution Of Approval Of The Rules And Regulations For The

Palmyra Police Department Policy & Procedure Manual. Chief Pearlman explained that this resolution is to approve the changes of any rules and regulations and that they were last amend in 2002. Mr. Dorworth made a motion to approve the resolutions, Mr. Norcross second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross.

NAYES: None.

k. Resolution 2012-70, Resolution Of Waiver For The Girl Scouts For The Security Deposit and Cleaning Of The Community Center. President Brahl made a motion to approve the resolutions, Mr. Bostock second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross.

NAYES: None.

l. Approval of Treasurer's Report. President Brahl made a motion to approve the treasurer's report, Mr. Dorworth second the motion. All members present voted in favor of the motion.

ADMINISTRATOR REPORT.

Mr. Gural discussed that there are two issues that have arisen with the paying of the bills, the vendors and professionals have their own way of submitting bills and invoices and the second part is to request for council to reconsider the vouchers they have to sign. The bills are sometimes overlapped or already paid by time it gets to a council member. The bill submitting process needs to be upgraded and that it is important for council to review the bills but the money also needs to get out to the vendors and professionals. If council members cannot review the bills, one way would be for the bills to be accepted and appear on the bill list if approved by the chief financial officer and administrator. Mr. Gural requested permission from council to have Mrs. Lewis, CFO and himself review and come up with a new policy. President Brahl discussed that he and Mayor Scheffler would meet and have a finance meeting to discuss a new policy before the next caucus meeting in April. Mrs. Riener inquired about the Chestnut Street project and when it would be completed. Mr. Gural replied that it was part of 2011 road projects and should be completed by May, it

currently only has a top coat.

Mr. Bostock requested an update on the handicapped ramp project. Mr. Gural explained that the project is 40% completed and that every intersection is unique and some required different techniques. The project was part of a Small Cities grant that the borough had received.

COMMITTEE REPORTS.

Mayor Scheffler discussed that the PTA thanked council for their support. Mr. Norcross reported that all youth activities have started and that they are going to paint the inside of the dug outs, redo the baseball diamond, and do a basic clean-up of the field. Mr. Norcross requested that council review an ordinance for no smoking on the fields or park. He understands that it may be difficult to enforced, but the signs and ordinance will allow the coaches and parents to be aware of the non-smoking. Mr. Bostock discussed that with the placement of signs and peer pressure, less people will be willing to smoke on the fields. Mr. Norcross discussed the report from Mr. Ryan on the sewer and public works department. Mr. Norcross requested a RICE notice for an employee from the sewer department for the next meeting.

Mr. Bostock reported that there was no new information that was not already discussed this evening concerning the BID meeting. The board of education meets tomorrow night and the BID meets Wednesday night.

President Brahl reported on the finance committee and that the final adoption of the budget is scheduled for April 2nd at 7pm. President Brahl informed the public that the average homes taxes would increase about \$28.00 for the year and that the borough has been able to maintain services this year.

Mrs. Riener reported that the shade tree commission did not hold a meeting this month and that the Land Use had no new applications.

Mr. Dorworth explained that the report from the Chief of Police is on file and that he had received an email that was sent to the Chief about the help that the officers gave to a juvenile and that the parent was appreciative of the way the situation was handled. The court administrator interviews will be held on March 14th. Mr. Dorworth discussed car burglaries that occurred over the week end and that residents need to lock their vehicles and not leave valuables in them. Chief Pearlman informed council that there have been five vehicle burglaries on Temple Blvd. Mr. Dorworth discussed that the fire department has been having an issue with their generator and that it is in need of repairs.

Public Comment.

Mrs. Riener made a motion to open the public portion, Mr. Bostock second the motion. All members present voted in favor of the motion.

Ms. Veitenheimer- clarified that the rabies clinic is sometimes held in late May, so the animal ordinance should make late fees effective on June 1st. Ms. Veitenheimer inquired as to why if the budgets from the departments is down, there is still an increase in the tax rate. Mr. Gural explained that the increase is due to revenue being lower also and that spending is down also. Mayor Scheffler explained that the court revenue is down, there are foreclosures in the borough that affects the tax collection and that it is just a sign of the times. Mr. Gural discussed that there is also increases in health care, utility bills, higher pension cost as well as increases in supplies that are needed.

Mrs. Jones thanked council for the funds for the senior groups and inquired as to whom she should ask permission from, for the use of the community center for things that they would like to schedule outside of their normal activities. The seniors are reorganizing and would like to hold a social in May and a cook out in June. There will be food and music. Mrs. Jones explained that lunch is served once a week at the center and that the seniors contribute towards the cost. Mayor Scheffler explained that the schedule of the center is handled by Mr. Gural and that there is a schedule on the website. Mrs. Jones discussed that they are attempting to get the seniors out of their homes and also to get the office of aging involved. The Superintendent of Schools would like to partner with the seniors as well. Mrs. Jones requested a copy of the rules and regulations for submitting vouchers when it is completed. Mr. Gural announced that a woman from Palmyra has written a book about World War II and would like to make a presentation to the seniors.

Mr. May discussed that he is happy to see the Bridge Commission has grant the town funds to do a traffic calming study and that he has been requesting for a number of years about the law for traffic and parking on Broad Street. Mr. May explained that he has been told it was a county road and also what is the need for the study. Mayor Scheffler explained that the study would look at ways to slow the traffic down.

Mr. Fratto announced that the BID is holding a contest for the best photo of Palmyra. It will be a month long contest and the pictures will be viewed by the public. President Brahl discussed that it is an excellent idea to get the general public involved, instead of just one photographer.

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

motion.

CLOSED SESSION.

Resolution No. 2012-72 Resolution Excluding The Public From Certain Meetings Pursuant To Section 8 Of The Open Public Meeting Act C. 231 P.L. 1975. (litigation and personnel). President Brahl made a motion to approve the resolution, Mr. Norcross second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Mrs. Riener, Mr. Dorworth, Mr. Bostock and Mr. Norcross.

NAYES: None. Council went into executive session at 8:20 pm.

Adjournment.

President Brahl made a motion to adjourn at 10pm, Mr. Bostock second the motion. All members present voted in favor of the motion.