

**BOROUGH OF PALMYRA
MINUTES-December 15, 2014**

CALL TO ORDER.

PLEDGE OF ALLEGIANCE.

MOMENT OF SILENCE.

ROLL CALL:

Present: Mayor Scheffler, President Riener, Ms. Dobbs, Mr. Nowicki, Mr. Bostock,
Ms. Arnold, Mr. Norcross.
Absent: Ms. Kane (student representative).

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 8, 2014.
- B. Mailing written notice to the Burlington County Times, and the Courier Post Newspaper on January 8, 2014.
- C. Notice to All Council Members.

CORRESPONDENCE.

A. Mayor Scheffler thanked Mr. Norcross and President Riener for their dedication to the Borough of Palmyra. Mr. Norcross has years of service with the Borough as a member of the Police Department and Councilman and will now serve on the Board of Education. Mayor Scheffler expressed her appreciation to Mr. Norcross for his dedication to the youths of the Borough and his involvement. Mayor Scheffler express her thanks to President Riener for serving on the Land Use Board for many years as Chairman and also serving on Borough Council. President Riener stated that it has been an honor to serve the Borough.

B. Mayor Scheffler read a thank you card from Bonnie Chellman for flowers she received upon the death of her sister. Also a thank you card from the family of Gary Milloy for the flowers upon his death.

APPROVAL OF MINUTES. Mr. Norcross made a motion to approve the minutes from December 1, 2014, President Riener second the motion. All members present voted in favor of the motion. Mr. Nowicki abstained from the vote.

PROFESSIONAL UPDATES.

- A. Environmental Resolutions-Mr. Kirchner reviewed the resolutions that are listed on the

agenda for council's approval this evening. There are two change order resolutions, one is for Eagle Construction for work on the sewer plant project and the other is for J. Fletcher Creamer & Son for the sign project. There are two resolutions for award, one for the small dump truck for public works/sewer and also for a wheel loaders for public works/sewer. Mr. Kirchner informed the council that he will have the award of collection system repair, award of the generator preventive maintenance for the sewer plant and the award of the maintenance contract for the sewer plant. The dog park at Legion Field is completed, they are working on the clay for the warning track and the benches should be installed in a few weeks. President Riener inquired about the equipment left on the site and how much longer will it need to be there. Mr. Kirchner replied that it is standard practice for a contractor to leave equipment on site till the project is completed. Mr. Bostock inquired about the material for the warning track. Mr. Kirchner explained that it is a new style of clay that doesn't wear down and creates more drainage. President Riener inquired if the batting cages were going to be updated. Mr. Kirchner replied that the cages were not part of this project. Mr. Kirchner informed council that Ethel B. Hardy Park is still waiting on the picnic table to be delivered. The sewer plant has switched over to the other tank and the Korman pumping station is back on line. Mr. Kirchner reviewed the issue with Lewandowski Construction and that the resolution to draw funds from their maintenance bond is on the agenda this evening. Lewandowski Construction did not complete the punch list of the project and have been unresponsive to the Borough. Mr. Norcross discussed that Eagle Construction of Burlington has been one of the better contractors that the Borough has hired.

B. CGP & H-Mr. Gural review the report from Mr. Gerkins about the grant projects. There was funding requested to implent a traffic calming measurers within the Broad Street corridor. The safe routes to schools program is to construct an internal drop-off at the Charles Street School. Palmyra has applied for funding for municipal aid to reconstruct a portion of South Broad Street from Legion Field (Park Ave) to Public Road. The Borough is awaiting word of funding for all of these grants. The grants that were submitted but Palmyra did not receive the funding was; a request to fund a new counselor at the Charles Street to implement Response to Intervention programming in the school. A grant application was denied for the funding for a Market Study for the Route 73 South Redevelopment area and also a grant for the COPS hiring program for a new K9 officer. The Small Cities Public Facilities for the reconstruction of a portion of West 2nd Street from Market to Orchard was also denied. The Burlington County Bridge Commission prepared the majority of the grant applications for the Borough.

C. ERM- Mr. Nowicki stepped down from the dais. Mr. Gural gave the report for Environmental Resources Management. They have prepared a letter to request that NJDEP disburse some of the funding from the HDSRF grant this month. The next step is to meet with representatives of Palmyra Cove, since the bulk of the pending work is on their property.

D. Litigation-Mr. Nowicki returned to the dais. Mr. Rosenberg informed council that there is a meeting scheduled on Wednesday for the ongoing landlord litigation. Mayor Scheffler explained that she is available any day but Wednesday. Mr. Gural and Ms. Arnold will attend with Mr. Rosenberg.

ORDINANCES ON SECOND READING.

A. Ordinance 2014-15, An Ordinance Of The Borough Of Palmyra Amending The Sewer Usage Rates And Connection Fees. Mayor Scheffler explained that this ordinance is being withdrawn for this year. The Borough needs to meet with a business first about their sewer usage before this ordinance can be adopted.

A. Ordinance 2014-19, An Ordinance Of The Borough Of Palmyra Amending The

Personnel Policies And Procedures Manual Regarding Health Benefits For Retired Employees And Opting Out Of Health Care Benefits. Mayor Scheffler explained that this ordinance accomplished two items. It removes the age limit for acquiring health benefits at retirement. The ordinance requires that a non-uniformed employee have 25 years in the state pension system and 20 years working for the Borough. The ordinance also eliminates paying an employee for opting out of health care benefits. Mr. Norcross made a motion to open the ordinance for the public hearing, Mr. Nowicki second the motion. All members present voted in favor of the motion. No one wishing to be heard, President Riener 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 on second reading, Ms. Dobbs second the motion. At the call of the roll, the vote was:

AYES: President Riener, Ms. Dobbs, Mr. Nowicki, Mr. Bostock, Ms. Arnold, Mr. Norcross.

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

RESOLUTIONS. Consent Agenda- Resolution 2014-217 and 2014-218 and Resolution 2014-229 to 2014-238 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 Scheffler read the titles into the record. Resolution 2014-238 amount of approval for the bill list is amended to \$2,771,453.67 for some additional bills that need to be added. Mr. Norcross made a motion to approve the consent agenda, Mr. Bostock second the motion. At the call of the roll, the vote was:

AYES: President Riener, Ms. Dobbs, Mr. Bostock, Ms. Arnold, Mr. Norcross.

NAYES: None.

ABSTAIN: Mr. Nowicki.

- A. **Resolution 2014-217,** Resolution Authorizing A Special Emergency Appropriation Pursuant To N.J. S. 4A:4-53, For The Purpose Of Codification Of Ordinances.
- B. **Resolution 2014-218,** Resolution Awarding Codification Services To General Code LLC In The Amount Of \$9,700.
- C. **Resolution 2014-229,** Resolution Of The Borough Of Palmyra Approving Contract Change Order #2 For J. Fletcher Creamer & Son Inc. For Sign Installation Improvement Project In The Amount Of \$350.00.
- D. **Resolution 2014-230,** Resolution To Transfer Funds In The 2014 Budget.
- E. **Resolution 2014-231,** Resolution Authorizing Refund Of Tax Overpayments (Veteran Deduction).
- F. **Resolution 2014-232,** Resolution Approving Stipulation Of Settlement Tax Court-River View Mews LLC Block 155.01/Lot 3.01-Harbour Drive.
- G. **Resolution 2014-233,** Resolution Awarding Small Dump Truck To Winner Ford In The Amount Of \$84,967.00.
- H. **Resolution 2014-234,** Resolution Awarding Wheeled Loader To Trico In The Amount Of \$90,626.00.
- I. **Resolution 2014-235,** Resolution Approving Change Order #1 For Eagle Construction Inc. For Sludge Thickening & Odor Control Improvements In The Amount Of \$51,102.30.
- J. **Resolution 2014-236** Resolution To Cancel Outstanding Checks.
- K. **Resolution 2014-237,** Resolution To Cancel Debits And Credits Of \$10.00 Or Less.
- L. **Resolution 2014-238,** Resolution Authorizing The Payment Of Bills For November, 2014 In The Amount Of \$2,771,453.67.
- M. **Resolution 2014-239,** Resolution Authorizing The Commencement Of Draw Down Proceeding Against The Maintenance Bond Posted By Lewandowski Construction Industries, LLC For Contract P-2011-3 For Various Street Improvements. Mr.

Rosenberg requested that this resolution be faxed and sent overnight mail to the bonding company. President Riener made a motion to approve the resolution, Mr. Nowicki second the motion. At the call of the roll, the vote was:

AYES: President Riener, Ms. Dobbs, Mr. Bostock, Mr. Norcross.

NAYES: None.

DISCUSSION ITEMS.

A. 2015 Caucus/Council Meeting Schedule. Mayor Scheffler inquired if council wanted to hold the second meeting in January, generally the reorganization meeting is the only one for the month. Mr. Nowicki inquired if council wanted to hold the meetings the night before election at 6pm instead of 7. Mayor Scheffler explained that she would like to see all the meetings start earlier at 6:30 if council members are available. The consensus of council was that they could start at 6:30pm.

B. Veterans Medals Artwork-Mr. Gural discussed that he had sent a couple of different designs to council for their review. Mr. Norcross discussed that the words thank you for your service should be on the medals, like the county medals. Mr. Norcross prefers the round medals with the gold and black. Mr. Bostock inquired if the names were going to be engraved on the back of the medals. President Riener discussed that with the names on them, they would seem more personal, but that she defers to Mr. Norcross. Mr. Norcross explained that the military medals do not have a name on them. Mr. Gural will meet with Mr. McElwee and review the medals that the county hands out.

C. Garozzo and Scimeca-door project. Mr. Gural explained that at the last meeting council approved a resolution rescinding resolution 2014-202 concerning additional work needed for the door project at Borough Hall. Mr. Rosenberg sent out another resolution for approval to accompany the other resolution. Mr. Rosenberg explained that the resolution rescinds the award granted in 2014-202. The Borough will have to rebid the project. Resolution 2014-240- Resolution Rescinding Resolution 2014-202, Mr. Norcross made a motion to approve the resolution, Mr. Bostock second the motion. At the call of the roll, the vote was:

AYES: President Riener, Ms. Dobbs, Mr. Nowicki, Mr. Bostock, Ms. Arnold, Mr. Norcross.

NAYES: None.

Mayor Scheffler announced that the Palmyra Cove Nature Park is holding a clean-up day on April 18th and is looking for volunteers for the spring clean-up. There will be a holiday movie at the community center on December 19th and the winners of the decorating house contest will be announced. Mayor Scheffler discussed that she attended a municipal law class last Saturday and that it was very informative about the different types of municipal governments in New Jersey. Mr. Norcross thanked everyone for helping with Santa Claus coming to town and that the football team and cheerleaders were present at the center. President Riener discussed that it was a wonderful event and well attend. Mr. Norcross recommend that Santa on the fire truck start earlier next year.

ADMINISTRATOR REPORT. Mr. Gural discussed that the holiday schedule for the Borough, in lieu of Columbus Day off the employees will get off December 26th. The employees are also entitled to half a day Christmas Eve and half a day New Year's Eve. Traditional the employees work all day New Year's Eve and have off on Christmas Eve. The tax office and the administrator's office will be open till noon on Christmas Eve for residents. The League of Municipalities is holding classes for newly elected officials the dates will be emailed to all of council. Mr. Gural gave an update on the sewer charges. The tax/sewer office has received telephone calls about the recent back billing of properties that did not pay their sewer. The owners have been requested to write a letter to the Borough so that their concerns can be address. Mr. Gural will review the recent RFP's that were submitted for 2015. The expenses reports for the League of Municipalities are due this week to the finance office.

COMMITTEE REPORTS. Mayor Scheffler requested that council members let her know what committees they would like to sit on for the 2015. They are appointed at reorganization.

Shade Tree- Mr. Nowicki reported that there are vacancies on the Shade Tree Advisory Board.

Public Works/Sewer Department- Ms. Dobbs reported that the department monthly report was given to all of council and that it is available.

Borough Flags- Mr. Bostock explained that he had requested that a resolution be approved at this meeting to allow the Borough Flags to be flown on Market Street and was advised that the sign ordinance would have to be amended. Mr. Bostock requested that it be on the agenda in February. Mr. Norcross discussed that Maple Shade has their municipal flag with a business name on the bottom of it. President Riener explained that she does not think that the sign ordinance has to be changed since it is a Borough flag. Mayor Scheffler will contact Mrs. Kilmer, zoning officer about the ordinance.

Cameras- Mr. Bostock discussed that there was an article in the Inquirer about Riverside Township and Burlington City using cameras to monitor activity around the town. They are able to move the cameras as needed. According to the article the towns obtained the cameras with a grant. Mr. Bostock gave a copy of the article to Mr. Gural so that he can review the grants and camera needs with Chief Pearlman. Chief Pearlman explained that the cameras were a major investment by the towns and that there is no grant funding available. Mayor Scheffler requested that Mr. Gural contact Dave Gerken from CGP & H about the possibility of a grant for the cameras.

Board of Education/River Route- Ms. Arnold reported that the sport teams were recognized at the board meeting for December and the younger kids sang a song. The River Route Committee is working on bike safety along the river route and the Burlington County Sheriff will be reaching out to Chief Pearlman about the Route 130 Corridor. Mr. Norcross commented that the board meeting was outstanding and that there were about 300 students in attendance.

Public Safety-Public Events- Mr. Norcross read from the police report there were 6511.7 miles patrolled and zero burglaries and zero robberies. in November, 65 criminal cases and 19 criminal complaints. Mr. Norcross thanked Chief Pearlman and his department for being more proactive the last four years and that the department is in excellent shape.

Construction/Land Use Board-President Riener reported that the Construction Office report is on file and that all councilmembers have been given a copy. President Riener expressed her thanks to Mrs. Kilmer for all of her hard work and also to Mr. Austin for his work as deputy code enforcement.

PUBLIC COMMENTS. Mr. Norcross made a motion to open the meeting to the public, Mr. Nowicki second the motion. All members present voted in favor of the motion.

Mr. Leach-West Henry Street discussed that he has had an issue with his tree and sidewalk that he has been trying to resolve for over a year. His concrete contractor will not fix the sidewalk due to the tree uplifting the slabs. Mayor Scheffler explained that the Shade Tree Committee and Mr. Gural looked at the tree and that it is not a tripping issue. Mr. Leach explained that the tree was straight and is now leaning towards his house. The curbs cannot be cut and repaired due to the roots of the tree. Mr. Leach explained that he submitted pictures of the pavement raised. Mr. Gural discussed that he had requested Mr. Austin to look at the tree and sidewalk and that it did not pose a hazardous. Mr. Gural did not authorize the tree to be removed. Mr. Leach explained that he could not sell his house with the sidewalk raised. Mayor Scheffler discussed that the Shade Tree Committee would monitor the work to see if the roots could be shaved down if the contractor lifts the slabs. Mr. Rosenberg explained that the Shade Tree Committee will make a determination if the roots can be shaved, but the repair of the sidewalk is the responsibility of the homeowner. President Riener discussed that the sidewalk ordinances has been updated to attempt to help the homeowners if a Borough tree is causing a problem. Mr. Leach stated that he

will sue the Borough if the tree falls or injures someone.

Ms. Veitheimer-Rowland inquired as to why the meetings are now starting at 6:30 and that it will hurt the residents who have to work. Mayor Scheffler explained that no resident has reached out to her and said that they cannot attend due to the time the meetings start. Ms. Veitheimer explained that people need time to get home and eat before they attend the meeting. Mayor Scheffler replied that if it becomes an issue, the council can always vote to change the time back to 7pm.

Mr. McElwee-Columbia thanked council for their participation in the cookie drive for the soldiers; 112 boxes of cookies were sent to the troops. Mr. McElwee thank Mr. Norcross and President Riener for their years of service to the Borough.

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

Mr. Norcross discussed that he has been working for the Borough since 1978 and that he has always tried to serve the public in the best way he knew how. His decisions were always based on what was best for the Borough. The decisions did not always please everyone, but they were needed. Mr. Norcross thanked Mayor Scheffler for being his running mate the first time he ran for council and President Riener for being his running mate the second time. Mr. Norcross thanked Ms. Dobbs for her work with the Borough and that he has known her a long time. Mr. Norcross discussed that he has known Mr. Nowicki since he was a small child and knows that he has a great interest in the community. Mr. Norcross explained that he has bumped heads with Ms. Arnold, but knows that she has is in favor of the town. He also has bumped heads with Mr. Bostock and has known him a long time from the schoolboard, but has always worked things out. Mr. Norcross said that it has been a pleasure to work and serve Palmyra. Chief Pearlman has done a good job stepping up to the plate and maintaining an excellent police force.

CLOSED SESSION. Resolution No. 2014-241, 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 Riener made a motion to approve the resolution, Mr. Norcross second the motion. At the call of the roll, the vote was:

AYES: President Riener, Ms. Dobbs, Mr. Nowicki, Mr. Bostock, Ms. Arnold, Mr. Norcross.
NAYES: None.

Council went into executive session at 8:14 pm.

Council returned to public session at 9:04pm.

Resolution 2014-242- Resolution Authorizing An Increase In Salary For The Borough Of Palmyra Administrator In The Amount Of \$10,000. Mr. Norcross made a motion to approve the resolution, Ms. Dobbs second the motion. At the call of the roll, the vote was:

AYES: President Riener, Ms. Dobbs, Mr. Nowicki, Mr. Bostock, Ms. Arnold, Mr. Norcross.
NAYES: None.

Adjournment. Ms. Dobbs made a motion to adjourn at 9:10pm, President Riener second the motion. All members present voted in favor of the motion.