

**BOROUGH OF PALMYRA
MINUTES-April 21, 2014**

CALL TO ORDER.

PLEDGE OF ALLEGIANCE. President Riener discussed the issue of the pledge of alliance not being on the last few agendas. President Riener explained that it was a clerical error and that there is pending legislation that will require the pledge of allegiance be stated at all public meetings.

ROLL CALL:

Present: Mayor Scheffler, President Riener, Mr. Nowicki, Ms. Arnold, Mr. Norcross.
Absent: Mr. Bostock, 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.

APPROVAL OF MINUTES. Mr. Norcross made a motion to approve the minutes from April 7, 2014, Ms. Dobbs second the motion. All members present voted in favor of the motion.

PROCLAMATION. NJ Big Sister of the Year. Mayor Scheffler presented Dr. Jamie Keller with a proclamation honoring her for her dedication in the Big Sister program. Dr. Jamie Keller was named New Jersey's Big Sister of the Year. Dr. Keller has been a volunteer mentor at Big Brothers, Big Sisters since she was a student at Palmyra High School.

CORRESPONDENCE.

- A. Thank you from Tom Ryan. Mayor Scheffler read the note into the record thanking council for the flowers at the passing of his father.
- B. Thank you from Charles Street School-Read Across America. This was a thank you for all who read books to the children during Read Across America month.
- C. Thank you from Board of Education-Emergency. Mayor Scheffler read the letter into

the record for the Borough's assistance during the evacuation of Charles Street School on March 28, 2014 due to a bomb threat.

D. Arbor Day Foundation Names Palmyra Tree City USA. Palmyra was again named a 2013 Tree City USA by the Arbor Day Foundation in honor of its commitment to effective urban forest management.

E. Letter of Resignation-Crossing Guard. President Riener made a motion to accept the resignation of Karen Goldschmidt as crossing guard.

Mayor Scheffler read a letter from Mike McCarron and Mindie Wiener expressing their thanks for the basketball program that Mr. McCarron was able to run at the Community Center, 28 kids participated in the afterschool program. Mayor Scheffler discussed that at the current time there are two (2) children in the Borough that have been diagnose with cancer. Mr. Norcross and Mr. McCarron heard that one of the children loved basketball but was not well enough to attend the basketball program. Mr. Norcross and Mr. McCarron worked together to have a basketball court install at his home. Mr. Norcross announced that a bank account has been established at the Santander Bank to raise funds for both children. People can make a donation directly at the bank. Mr. Norcross explained that information will be posted on website and facebook.

BUDGET HEARING. (Mr. Nowicki stepped down from the dais).

A. Resolution 2014-91, Resolution To Read Budget By Title Only. 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, Ms. Arnold, Mr. Norcross.

NAYES: None.

B. Resolution 2014-92, Resolution For Self-Examination Of 2014 Budget. Mayor Scheffler explained that this resolution permits the Borough due to their sound fiscal condition to assume the responsibility, normally granted to the Director of Division of Local Government Services, of conducting the annual budget examination. 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, Ms. Arnold, Mr. Norcross.

NAYES: None.

C. Public Hearing on Budget. Mayor Scheffler reviewed the budget numbers for the public. The 2014 general appropriations are \$7,653,164.35, 2014 local purpose tax: the local purpose tax rate will be \$1.165, the average home for a home assessed at \$148,095.25 will see an increase around \$32.00. The 2014 sewer budget is \$1,623,720.00 the same as 2013. Mr. Nehila, auditor explained that the Borough is \$60,000 under the cap levy of 2%.

Mr. Norcross made a motion to open the public hearing on the budget, Ms. Dobbs second the motion. All members present voted in favor of the motion.

Mr. Rader-Harbour Drive inquired about the capital budget and if the community center wall is going to be done this year. Mayor Scheffler explained that the capital budget list is similar to a wish list and that not all capital budgets are completed. Mr. Rader inquired if the projects listed are prioritize. Mayor Scheffler explained that council makes a decision on each project individually and some of the projects can be completed this year or in the next three years. Mr. Nehila explained that the projects require a down payment and it is council's decision to do a bond ordinance to cover the cost of each projects. Mr. Gural explained that the 5% down payment is built into the budget each year and that after the Borough would borrow on a short term bond anticipation note and then approve a bond ordinance for the funding of the project.

Ms. Veitenheimer-Rowland Street discussed that pension amounts that the Borough has to pay were discussed as being lower and why is the budget not changed to give that money back to the taxpayers. Mr. Gural explained that at the last work session council discussed if they wanted to amend the budget or leave that amount in the budget. The state has lowered the amount of pension funds that the borough has to pay this year, but eventually the money will have to be paid to the state, so it is better to leave the funds in the budget from year to year so that when the State decides they would like the full amount, it is available. Any funds not used this year will convert to surplus funds to be used in upcoming years. Mr. Norcross discussed that it had happen in pass years and the towns had to pay back the state.

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

D. Resolution 2014-93, Resolution To Adopt 2014 Budget. 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, Ms. Arnold, Mr. Norcross.

NAYES: None.

Mr. Nowicki returned to the dais.

ORDINANCE ON SECOND READING. (public hearing).

A. Ordinance 2014-3, An Ordinance Amending Chapter 197 Of The Code Of Palmyra Entitled Peddling And Soliciting And Permitting Charitable Organizations As Defined In N.J.S.A. 45:17A-20 To Solicit Contributions On Public Roadways Situated In The Borough Of Palmyra. Chief Pearlman explained that this ordinance is requested by Burlington County for any use of their roads for coin drops. The County wants to have proof of insurance, so that they are not held responsible for any incidents related to the coin drops. Mr. Gural explained that it is also now a requirement of the JIF to have an ordinance in place regulating the permitting of a coin drop. Mr. Norcross made a motion to open the ordinance to the public, Ms. Dobbs second the motion. All members present voted in favor of the motion.

Mrs. Nowicki-Morgan Avenue discussed that the Knights of Columbus do a coin drop yearly and will this affect other charitable organizations as well. Chief Pearlman replied that the county requires it for all charities who would like to hold an event on a county road. Mrs. Nowicki inquired if council will make the determination of approval. Chief Pearlman explained that the ordinance allows for the Chief of Police to sign off on the permit, if all of the requirements are met. Mr. Countryman- inquired as to what the fund raiser was for??

Mr. Norcross made a motion to close the public portion of the ordinance, Mr. Nowicki 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, Ms. Arnold, Mr. Norcross.

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

ORDINANCE ON FIRST READING.

A. Ordinance 2014-4, An Ordinance To Provide For And Determine The Rates Of Compensation Of Each Employee And Officer Of The Borough Of Palmyra For Years 2014 and 2015. Mayor Scheffler explained that this ordinance gives the minimum and maximum of each positions salary. The only major change is to the chief financial officer salary ranges, since the position is now part time. Mr. Gural explained that the ordinance covers the years of 2014 and 2015. President Riener made a motion to adopt the ordinance on first reading, Mr. Norcross second the motion. At the call of the roll, the vote was:

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

NAYES: None. The ordinance was adopted on first reading and will be heard on second and final reading at the council meeting of May 19, 2014 at 7pm.

RESOLUTIONS. Consent Agenda- Resolution 2014-95 to Resolution 2014-108 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. Mr. Nowicki requested that Resolution 2014-103 be pulled from the consent agenda. President Riener requested that Resolution 2014-106 be pulled from the consent agenda. Mr. Norcross made a motion to approve the consent agenda, Ms. Dobbs second the motion. At the call of the roll, the vote was:

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

NAYES: None.

A. Resolution 2014-94, Resolution Awarding Environmental Resolutions Engineering Services For Sale Of Property For Development In An Amount Not To Exceed \$11,625.00.

B. Resolution 2014-95, Resolution Awarding Environmental Resolutions Engineering Services For Borough Street Condition Inventory Updates In An Amount Not To Exceed \$1,750.00.

C. Resolution 2014-96, Resolution Awarding Environmental Resolutions Engineering Services For Additional Signage Project In An Amount Not To Exceed \$3,500.00.

D. Resolution 2014-97, Resolution Appointing Environmental Resolutions As The Borough Of Palmyra's Playground Safety Inspection Service In An Amount Not To Exceed \$3,200.

E. Resolution 2014-98, Resolution Authorizing A Change Order For CB Structures-Police Car Port Project In The Amount Of \$287.00.

F. Resolution 2014-99, Resolution Endorsing The Borough Of Palmyra's Application For New Jersey Department Of Transportation-Transportation Alternatives Program (TAP) Application.

G. Resolution 2014-100 Resolution Appointing Ronald Holt As Fire Inspector For The Borough Of Palmyra At A Rate Of \$16.00 Per Hour Not To Exceed Six (6) Hours Per Week Effective May 2, 2014.

H. Resolution 2014-101, Resolution Authorizing The Sale Of Impounded Vehicles On GovDeals.com.

I. Resolution 2014-102, Resolution Authorizing An Application And Committing To The Maintenance Of A Project Funded By The New Jersey Department Of Transportation (NJDOT) Safe Routes To School.

J. Resolution 2014-103, Resolution Authorizing The Payment Of Bills For March, 2014 In The Amount Of \$1,674,261.72. Ms. Dobbs 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, Ms. Arnold, Mr. Norcross.

NAYES: None.

ABSTAIN: Mr. Nowicki.

K. Resolution 2014-104, Resolution Establishing The Annual Rates Of Compensation And/or Hourly Rates Paid To Borough Employees.

L. Resolution 2014-105, Resolution Adopting Personnel Policies And Procedures Manual And Supervisory Supplement To The Personnel Policies And Procedures Manual And Public Works Addendum.

M. Resolution 2014-106, Resolution Authorizing The Filing Of An Appeal With The New Jersey Tax Court For The Roto Cylinders, Inc. Property. Mr. Norcross made a motion to approve the resolution, Ms. Dobbs second the motion. At the call of the roll, the vote was:

AYES: Ms. Dobbs, Mr. Nowicki, Ms. Arnold, Mr. Norcross.

NAYES: None.

ABSTAIN: President Riener.

N. Resolution 2014-107, Resolution Authorizing The Filing Of An Appeal With The New Jersey Tax Court For The River Villas Mews, LLC Property.

O. Resolution 2014-108, Resolution Authorizing The Mayor To Sign A Contract With The YMCA Of Burlington/Camden Counties To Operate A Summer Camp In The Palmyra Community Center.

COMMITTEE REPORTS. Mayor Scheffler explained that she would like to address an issue that occurred when she was absent from the last meeting. Mayor Scheffler discussed that she understands that there was a discussion about the flowers that were sent to her fiancée' on the death of his grandmother and whether they should have been sent or not. Mayor Scheffler explained that her fiancée' was and still is a firemen in the Borough long before she was elected to Borough Council. Mayor Scheffler discussed that she does not believe that the Borough needs a policy concerning flowers or fruit baskets sent to someone. All volunteers should be acknowledged upon the death of a loved one. Mayor Scheffler explained that she will be donating her next paycheck for the month to the Borough for reimbursing the line item so that there are funds available for future needs. President Riener discussed that she did not like the undertones of the discussion and had planned to donate her check as well, but now would like to donate her check to the fund for the children who have cancer. President Riener explained that there is no need to have a policy and that it is micro-managing. The firemen put their life on the line every call and should be so honor. Mayor Scheffler will contact the fire department to make sure that the Borough is aware of any firemen that has experienced a tragic loss and that her fiancée' would have been sent flowers even if he was not in a relationship with her.

Shade Tree- Mr. Nowicki reported that there were three (3) new complaints resolved and that there was a total of five (5) volunteer hours. On the first day of the tree give aways more than 100 were given away. Mr. Nowicki explained that they are going to do a concerted effort on advertising for next week event so that more trees can be given away. The trees will also be available on Palmyra Day at the band shell.

Sewer/Public Works- Ms. Dobbs reported that the monthly report has been given to all councilmembers. The sewer and the public works departments is in need of new vehicles and that the maintenance at the Korman pump station is costing the Borough a lot of money. Mr. Gural explained that improvements to the Korman pump station is not part of the sewer improvement project but that the improvements at the sewer plant will help with the Korman pump station. Ms. Dobbs discussed that the new vehicles for the sewer/public works department is on the capital budget list and that they need to be authorized before the old vehicles break down. The old vehicles are costing the borough additional money to maintain.

Board of Education- Ms. Arnold reported that Arbor Day is on Friday, April 25th. There will be a tree planting at the Charles Street School at 1pm. Ms. Arnold discussed that there have 21 rental inspections so far with the new company and that the website needs to be updated to include the requirements for a certificate of occupancy inspection.

Public Safety- Mr. Norcross reported that the police department responded to 1676 calls for service, 89 criminal cases assigned, 242 traffic summonses, 3 criminal mischief reports, and 5 adult arrests. The fire department had 21 incidents and 16 volunteers at each call responding.

Public Events- Mr. Norcross discussed that Palmyra Day is on May 3rd, there is an art show and a 5k run that week end also. The Memorial Day Service is on May 26 at 10am. Mr. Norcross thanked Mr. Nowicki for his participation in the public events.

Construction/Land Use- Mrs. Riener reported that there was no Land Use Board meeting in April and that the construction office/zoning office is on file. There are now additional personnel in the construction/code office in the morning.

Cleanup day- Mr. Nowicki discussed that April 26 and 27th is cleanup day in the Borough. Public Works has been working all month on getting up the leaves and brush in the Borough. On May 2nd the regular schedule returns for leaves and brush. Mr. Norcross discussed that it is time for the downtown business to step up and take pride for the area in front of their stores. The residents are required to clean up the front of the homes and the business should do the same to make Palmyra a clean place to do business.

ADMINISTRATOR REPORT. Mr. Gural reported that the refund that was mailed out to the businesses that had been located in the BID district were not calculated correctly by the tax office. The BID had two separate schedules for applying the tax, Schedule A and Schedule B, each one had a different percentage. The refunds for properties in Schedule A were too low and the properties in Schedule B received too much. The tax office will be working on correcting the differences and a letter will be sent out to explain the error and the new amounts.

Mr. Gural reported that the EIT loan will be going to closing on May 22, 2014. There is some equipment at the site, but no major effort has been started yet. Mr. Gural discussed that he would like to schedule the public meeting to review the water rate usages in May on the second or fourth Wednesday. It will be advertise as a public meeting so that all of council may attend. Mayor Scheffler recommend holding the meeting at Borough Hall due to the sound in the community center and using the center only as a backup. Mr. Kirchner will make the presentation at the public meeting on the water usage.

PUBLIC COMMENTS. President Riener made a motion to open the meeting for public comment, Ms. Dobbs second the motion. All members present voted in favor of the motion.

Mr. Weber-Cinnaminson Avenue informed council that he is the President of the Palmyra United Republican Club and that he would like to read a letter into the record concerning the pledge of allegiance. Mr. Weber discussed that he realizes there has been some changes. Your Honor and Borough Council, Patriotism is defined as “love or devotion to one’s country.” It can be shown in many ways and the recitation of the Pledge of Allegiance is one of the most powerful of them. The Pledge is traditionally recited to open public government meetings or functions, including usage in both houses of Congress. Palmyra however has recently seen fit to discontinue the practice of reciting the Pledge with no explanation as to why. When questioned about the sudden change the Mayor replied with “that’s not what Palmyra does.” We at the Palmyra United Republican Club however “do,” recite the Pledge and we, along with both Republicans on Borough Council, strongly object to not reciting the Pledge at Borough Council meetings. With so many veterans living in Palmyra who have gone above and beyond the call to protect our right to meet in democratic settings, we question the rationale behind the change and call on the Mayor and Council to give both our honored veterans and our great country the ten seconds that both deserve at the beginning of each and every meeting that’s open to the public. Mayor Scheffler explained that she was

incorrectly quoted and that the Borough has never stated the pledge at their worksession and that there was no change in policy. Mayor Scheffler explained that there is a movement in the State Assembly to require the pledge be said at all public meetings.

Ms. Veitenheimer-Rowland inquired if the council would be willing to do two public comments, so that she can comment before the resolutions are voted on. Mayor Scheffler explained that the majority of the resolutions are discussed at the first meeting of the month and that there is public comment at that meeting for any questions. The resolutions are adopted at the next meeting. The ordinances always have public comment at the second meeting.

Mr. O'Connor-Broad Street explained that he opened a business on Broad Street because he has been unable to rent out the store front. He had talked to Ms. Kilmer about what he needed to open a store and had received approval from her for opening the store and also for a sign. He received a CO from Mrs. Kilmer. Mr. O'Connor explained that he then received a letter from Ms. Sheipe about the ordinance for gems and jewelry and that it cost \$275.00. He does not sell jewelry or precious gems and does not fall under that ordinance. Mr. O'Connor discussed that the Chief came into his business and told him that he couldn't run the business without paying the additional money and that he couldn't have his sign. Chief Pearlman explained that the ordinance was passed last year to help all of the departments in the county and state to track down stolen merchandise. The business has to enter into the computer system the item that has been bought and must hold onto the item for a period of 14 days before reselling it, to make sure it was not stolen. Mr. O'Connor explained that nothing in the store is worth a lot of money and that he will have to close the store because he is not making any money. Mr. O'Connor discussed that there are too many empty stores in the town. Mayor Scheffler discussed that Mrs. Kilmer handles the construction and zoning part of the store opening, but the buying and selling of items is handled through the police department.

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 voted in favor of the motion.

CLOSED SESSION, Resolution No. 2014-109, Resolution Excluding The Public From Certain Meetings Pursuant To Section 8 Of The Open Public Meeting Act C. 231 P.L. 1975. (Litigation and negotiation) Mr. Nowicki 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, Ms. Arnold, Mr. Norcross.

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

Council returned to open session.

Resolution 2014-110, Resolution Appointing Doretha Jackson As Tax/Sewer Clerk, General Clerk and Technical Assistant Full Time. Ms. Dobbs made a motion to approve the resolution, President Riener second the motion. At the call of the roll, the vote was:

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

NAYES: None.

President Riener inquired about the road construction on Market Street and that the traffic was confused with the various cones in the roadways. Mr. Gural explained that the handicapped ramps needed replaced after inspections were completed and that the contractor has to fix the roadway after replacing some of the handicapped ramps. Ms. Dobbs explained that there is a lip between the ramps and roadways that also needs to be repaired.

Adjournment. Ms. Dobbs made a motion to adjourn at 8:32 pm, President Riener second the motion. All members present voted in favor of the motion.