

Borough of Palmyra
Borough Council
Minutes- November 2, 2015

CALL TO ORDER.

ROLL CALL OF BOROUGH COUNCIL.

PRESENT: Mayor Scheffler, President Dobbs, Mrs. Tait, Mr. Norcross, Mr. Bostock, Ms. Arnold, Mr. Howard (arrived late) and Mr. Gravano (student representative).

ABSENT: None.

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 7, 2015.
- B. Mailing written notice to the Burlington County Times, and the Courier Post Newspaper on January 7, 2015.
- C. Notice to All Council Members.

APPROVAL OF MINUTES. President Dobbs requested that the minutes from October 19th, be corrected to show that Mr. Bostock was present at roll call. Mrs. Tait made a motion to approve the regular and executive minutes from October 19, 2015, President Dobbs second the motion. All members present voted in favor of the motion.

CORRESPONDENCE. Mayor Scheffler read into the record a thank you card from Ginny Dreby for the flowers sent by the Mayor and Borough Council while she was in rehab. Mayor Scheffler also read into the record a thank you card from the family of Placido J. Villari for the expression of sympathy upon his death.

RESOLUTIONS. Consent Agenda- Resolution 2015-206-Resolution 2015-209 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 explained that the Borough has to reimburse the Harbour Association due to the Municipal Services Act and that it is less expensive for the Borough to plow Main Harbour Drive, then to reimburse the Harbour Association. The average pay out to the Harbour is about \$12,000 for snow plowing. The residents of the Borough would still maintain the same services for snow plowing. Ms. Arnold requested that Resolution 2015-209 be pulled from the consent agenda. President Dobbs made a motion to approve the consent agenda, Mrs. Tait second the motion. At the call of the roll, the vote was:

AYES: President Dobbs, Mrs. Tait, Mr. Norcross, Mr. Bostock, Ms. Arnold.

NAYES: None.

A. Resolution 2015-206, Resolution Authorizing The Mayor To Execute An Agreement Between The Borough Of Palmyra And The Township Of Cinnaminson Of Burlington County For The Furnishing Of Brine Solution For The 2015-2016 Season.

B. Resolution 2015-207, Resolution Accepting Environmental Resources Management Proposal For The Remedial Investigation For Munitions And Explosives Of Concern In The Palmyra Cove Nature Park To Be Funded Via The NJ DEP Administered Hazardous Discharge Site Remediation Grant Funds Previously Awarded The Borough In The Amount Not-To-Exceed \$1,514,700 Contingent Upon CFO's Certification.

C. Resolution 2015-208, Resolution Authorizing The Payment Of Bills for The Month Of October 2015.

D. Resolution 2015-209, Resolution Of The Borough Of Palmyra Authorizing Palmyra Public Works To Perform Snow Plowing And Ice Removal Efforts On Main Harbour Drive For The 2015/2016 Winter Season. Ms. Arnold discussed that there should be public comment on this resolution. Mayor Scheffler explained that resolutions do not require public comment and that it was discussed at the last meeting and that Ms. Arnold was in agreement at that time. Ms. Arnold discussed that this issue has become a political football. President Dobbs made a motion to approve the resolution, Mr. Bostock second the motion. At the call of the roll, the vote was:

AYES: President Dobbs, Mrs. Tait, Mr. Norcross, Mr. Bostock, Ms. Arnold.

NAYES: None.

DISCUSSION ITEMS.

A. Shared Services Defense Agreement-Housing Element/Fair Share Plan/NJ COAH. Mr. Gural explained that at the last meeting Mr. Gerken's present the Housing Element and the Borough's obligation to provide low-moderate housing. Palmyra and other towns could be less than the number given. Mr. Rosenberg has contacted an attorney who has had success in having the towns' numbers lower. Mr. Gural explained that about 200 municipalities have agreed to a shared service agreement for this project. The attorney is charging \$2,000 per town and Mr. Gural explained that it is worth the cost. If the number can be lower it could save the Borough thousands of dollars. Mr. Howard arrived. Mrs. Tait inquired if the Borough pays the \$2,000 now and decides against it later, is the Borough out the money? Mr. Rosenberg explained that once the Borough agrees to the amount and it is paid, there is no refund.

Resolution 2015-210, Resolution Authorizing The Mayor To Sign A Shared Services Agreement With The Municipal Group And Surenian On Behalf Of Rutgers.

Resolution 2015-211, Resolution Approving An Amendment To The Shared Services Defense Agreement. President Dobbs made a motion to approve Resolution 2015-210 and 211, Mrs. Tait second the motion. At the call of the roll, the vote was:

AYES: President Dobbs, Mrs. Tait, Mr. Norcross, Mr. Bostock, Ms. Arnold, Mr. Howard.

NAYES: None.

B. Defensive Driving Program-Mr. Norcross explained that Burlington County's Sheriff Department offers a defense driving program for \$10.00 a person and that with the new vehicle, the Borough should implement a program for employees driving the vehicles. Mr. Norcross discussed that it would help with the Borough's insurance and employees can use it as a discount on their private insurance. The County and Bridge Commission requires it of their employees that drive their vehicles. Mr. Gural discussed that the JIF offers a defense driving program but that it is not located near the Borough. President Dobbs inquired if employees taking the class would help with the JIF premiums? Mr. Gural replied that it would be the same as taking the County's program and it would help with the JIF and employees personal insurance. Mr. Norcross explained that he is not pushing towards the County's program, but is informing the Borough that it is located in the County and only \$10.00 per person. Mr. Gural explained that all employees are required to present their driver's license and that an abstract is completed. Mayor Scheffler recommend that Mr. Norcross coordinate the program with Mr. Gural.

C. Veterans Day and Medals-Mrs. Tait explained that the medals will be given out at the beginning of the Council meeting of November 16th. Mrs. Tait will have Marie Nagle contact the Veterans on the list. Also there is a new program for honoring Veterans, call Light the Green, and they are requesting that all residents have a greenlight on in their homes at night to honor the Veterans, Mrs. Tait would like to purchase some green lightbulbs to give out to residents.

ADMINISTRATOR REPORT.

A. Senior Walkability Report-the senior walkability report has been given to the Seniors Association and also to Councilmembers. A number of the issues listed on the report are being addressed as part of the South Broad Street road program.

B. Professional updates-South Broad Street road program starts next week and the Borough is waiting for the contractors for the community center generator to be signed. Environmental Resources is starting today at the Cove, clearing away some trees and shrubs. They will be doing the remedial investigation for munitions and explosives of concern (MEC). Mr. Hogue will have a report at the next council meeting.

C. Affordable Care Act-Mr. Gural and Chief Pearlman had attend a seminar that involved labor contracts and health care cost. Chapter 78 enacted in July of 2008 which called for employee contributions towards health care cost. The law is now sunseting and can be negotiated with unions. The affordable care act general consensus is that you do not have to count elected officials or crossing guards as part of the numbers. If those two positions are elimtate from the equation then the Borough has room for seven (7) more employees either full time or part time. Mr. Gural explained that the Borough is not looking to hire seven employees but it opens the options.

D. School Resource Officer-the report is being worked on and will be sent to council for the next meeting.

E. Borough Vehicle-the new vehicle for council and employees to use for Borough business has arrived and will be available for use.

F. Turkeys-the County Board of Health has taken the time to respond and a wildlife tech from the Division of Game and Wildlife will be trapping the turkeys in certain areas in the next few weeks. They will be trapped using netting.

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

Mr. Rader-Harbour Drive discussed that in 2002 the Route 73 development area was first identified. In 2003 it was distinguished as a brownfield. The last published report was in The Bridge in 2008. Mr. Rosenberg explained that Mr. Hogue is the environmental consultant for the Borough and has completed a preliminary plan and that further studies are starting this month and will be completed over the next several months. After the studies are completed the work plan will be submitted. Mayor Scheffler explained that the funding comes from the State and it is slow getting the reimbursements. Mr. Rader inquired if the funds that were committed before 2008 have been spent. Mayor Scheffler replied that the funds are drawn down from an account with the State as needed. Mr. Rader discussed that the articles says that 102 acres are cleaned. Mayor Scheffler explained that most of that acreage is wetlands. Mr. Gural discussed that the last phase of the environmental study is the munitions and explosives. The work is being done now, for the convenience of the Palmyra Cove, it is a less busy schedule for them. Mr. Rader discussed that public written reports should be provided so that residents are aware of what is being done. Mayor Scheffler explained that news articles are not official written reports, they usually are a summary of what is being done. Mr. Rader inquired if the steering committee for the redevelopment was still in effect. Mayor Scheffler replied that they do not meet. Mr. Rader inquired as to how many snow plows the Borough owns? Mr. Austin-public works replied that there are seven (7) trucks available for plowing. Mayor Scheffler explained that it will take very little time to plow main Harbour Drive, the Borough will not be plowing the parking lots. The Harbour Board has been requesting that the Borough help with the plowing to save money.

Mr. Smith-Van Sant inquired if there still are explosives on the other side of route 73. Mayor Scheffler replied that there are hundreds.

Mrs. Nowicki-Morgan Avenue-discussed that she had a number of questions. Mrs. Nowicki inquired as what the reimbursement rates to the Harbour were. Mayor Scheffler replied that the rates are for the Harbour and the Riverfront. They are \$7,747. for Harbour and \$4,873.70 for the Riverfront. Mrs. Nowicki inquired if there is an agreement in writing with the Harbour for the snowplowing and if not they could sue the Borough for the reimbursement money that was agreed to. Mrs. Nowicki inquired as to what the new vehicle is for. Mr. Gural explained it is a Ford SUV Explorer that was purchased under state contract for use by Council and Administrative staff to take to required training or other Borough use. The Burlington County JIF has recommend that employees not use their own vehicles due to insurance reasons for Borough business. Mrs. Nowicki informed Council that on the website when you click on the municipal services act nothing happens. Mrs. Nowicki discussed that in connection with the Harbour, Main Harbour Drive is owned by the Harbour and that there is an understanding that the Police Department can issue citations and tickets. Chief Pearlman explained that there was an agreement back in 1974 to allow police enforcement in the Harbour. Howard Norcross explained that he was on the police force when the agreement was started. The Borough had to apply to the State for permission and it is only for Harbour Drive, not the parking lots. Mrs. Nowicki discussed that Harbour Drive was not built to road specs that public roads are. Mr. Gural explained that the original agreement with the Harbour was signed by then Mayor Leather and that the current council has requested an engineer's report on the condition of Harbour Drive. Mr. Gural explained that the Municipal Services Act was adopted before he was in office. Mrs. Nowicki discussed that Mr. Gural was in negotiations with the Harbour. Mr. Gural replied that new agreements were adopted three years ago and approved by Borough Council. Mrs. Nowicki discussed that why should she pay as a taxpayer if there is damage to Harbour Drive or their curbs. Also there are large pot holes on Arch Street and no warning signs. Mrs. Nowicki inquired why they are not being repaired. President Dobbs explained that there used to be a sign there that let you know there was a dip in the roadway. Mrs. Scott-Front Street explained that they are there for the drainage from the rain and that years ago they were fixed wrong, but that the neighborhood likes the dips as they stop speeders that fly

down the street. Mrs. Nowicki discussed that Cinnaminson Avenue is a county road and that the Borough needs to get the County to help with speeders. Mr. Bostock explained that it is a problem with the County. Chief Pearlman explained that the Borough has requested that the County make the intersection of Cinnaminson Avenue and Temple a four-way stop and is awaiting for the County to approve a resolution to make the change. Mrs. Nowicki expressed her thanks to Ms. Arnold for tabling the resolution concerning the plowing of Harbour Drive. Mayor Scheffler informed her that the resolution was approved with all members voting yes.

Mr. Yetter-Garfield Avenue discussed that at the Freeholders meeting they hold public input before the resolutions are passed. The public should be in the first part of the meeting.

Mr. Smith-Van Sant Drive discussed that when the Harbour was first built it was supposed to be responsible for the roads for so many years and then the Borough was supposed to take over the roads. Mayor Scheffler explained that the Borough has located a document that the Borough attorney and the attorney for the Harbour spoke about the roadways years ago, but that it was never brought to the council's attention.

Mrs. Nowicki-Morgan Avenue discussed that the Harbour pays taxes and that they are also currently reimbursed for their snow plowing. The residents of the Harbour are not getting cheated. Mrs. Nowicki also explained that Robert Rules of Order allow for public discussion in the beginning of the meeting.

Mr. Countryman-Lincoln Avenue discussed that with Robert Rules of Order only items on the agenda can be discussed. The Council could have two (2) public comments sections. Mr. Countryman inquires as to who would determine the cost and who determines if there is damage to Harbour Drive if the Borough plows it. Mayor Scheffler explained that she has confidence in public works employees doing the plowing and very rarely does the Borough have an issue with the plows hitting the curbs. Mr. Countryman inquired if the agreement is just for snow plowing. Mayor Scheffler replied it would include brining as well. Mr. Countryman discussed that he understands that the plowing will save money, but for the residents of the Harbour it should be a wash. Mayor Scheffler explained that the private contractor that the Harbour hires is more expensive than the Borough doing the plowing. Mr. Howard explained that the contractor charges them for plowing, removing the snow and also for the sidewalks. Mr. Countryman recommend that a written contract between the Harbour and the Borough be completed so that it deals will all issues in writing.

Mrs. Bell-Harbour Drive informed council that she is a resident of the Harbour and a member of the Harbour Board. The Board has gone around and around trying to preserve the roads and has also discussed becoming a gated community, but that would hinder police and emergency response. Mrs. Bell discussed that she takes exception to everyone talking about the Harbour getting special privileges and that she is a taxpayer like all residents.

Mr. H. Norcross-Temple Blvd. explained that he has been a part of government for over 50 years and that the public comment has never been done in the beginning of the meeting. Defense driving training was done years ago for all employees and should be required every three years.

Mrs. Nowicki-Morgan Avenue explained that she is not trying to insult the Harbour residents, but that the municipal services act requires 100% reimbursement for plowing and that it is not her fault that the Harbour pays more than necessary for their contractor. Mrs. Nowicki expressed her concern that the Harbour would be plowed by the Borough and still get their reimbursement from the Borough. Mrs. Nowicki inquired why all of the polling places for voting at not at the community center?

Mrs. Bell-Harbour Drive explained that the voting districts are mapped out by the county. Mayor Scheffler explained that the schools and firehouse were not handicapped accessible and the center has plenty of parking.

Ms. Veitenheimer-Rowland discussed that she agrees that the public should have input in the beginning of the meeting. Ms. Veitenheimer inquired about the disability payments of 100% for all employees that Mr. Gural discussed at the last meeting with the Best Practices. Mayor Scheffler explained that it is not a new item to the Borough. Mr. Gural explained that police officers receive

100% for their disability and the other employees only receive 70%. Ms. Veitenheimer discussed that it should not be brought back and that in private practice an employee pays for it in full. Ms. Veitenheimer inquired if spending is down every year, why do taxes increase. Mr. Gural discussed the disability issue and that per the union the officers receive the difference between 70% and 100% and that every employee is just as important and that there should not be a double standard. Ms. Veitenheimer discussed that at the budget meeting there was talk of a small vehicle for the employees, why was a SUV purchases. Mr. Gural replied that an SUV can be purchases on state contract which actually makes the price lower.

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

ADJOURNMENT. Mrs. Tait made a motion to adjourn at 7:53 pm, Mr. Howard second the motion. All members present voted in favor of the motion.