

**Borough of Palmyra**  
**Council Caucus Meeting, 7:00 PM**  
**Monday May 7<sup>th</sup>, 2018**

**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 7:00 pm

**ROLL CALL**

Present: Mr. Brandon Allmond, Mr. Timothy Howard, Mrs. Gina Tait, Ms. Mindie Weiner, Mr. Lewis Yetter, President Bernadette Russell, 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 10, 2018.
- Mailing written notice to the Burlington County Times, and the Courier Post Newspaper on January 10, 2018.
- Notice to All Council Members.

**INVOCATION**

Prayer was given by Minister James Roberts of Holy Spirit Church

**APPROVAL OF MINUTES**

Mayor Arnold requested a motion for approval of the April 2<sup>nd</sup>, 2018 Council Caucus Meeting Minutes:

Mrs. Russell made a motion to approve the minutes from the April 2<sup>nd</sup>, 2018 Council Caucus Meeting. Mrs. Tait second the motion.

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

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

**NAYES: None**

Mayor Arnold requested a motion for approval of the, April 16<sup>th</sup>, 2018 Regular Council Meeting Minutes and the April 16<sup>th</sup>, 2018 Executive Session Minutes.

Mrs. Russell made a motion to approve the minutes from the, April 16<sup>th</sup>, 2018 Regular Council Meeting Minutes and the April 16<sup>th</sup>, 2018 Executive Session Minutes. Mrs. Tait second the motion.

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

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

**NAYES: None**

### **CORRESPONDENCE**

Mayor Arnold read a letter from Cory A Booker, US Senator, regarding the Borough of Palmyra being designated an Opportunity Zone in the State of New Jersey.

Mayor Arnold read a letter received from Vincent Masdciaro of the New Jersey Department of Transportation indicating they were returning the executed agreement for the \$250,000.00 NJ Transportation Trust Fund Authority Act grant.

Mayor Arnold also acknowledged a letter received from Scott Coffina the Burlington County Prosecutor indicating they were sending us \$1,000.00 as the result of a civil asset forfeiture.

Mayor Arnold also read a letter received from Terence Schrider from DCA, Small Cities CDBG Program notifying the Borough that we did not receive the 2018 Public Facilities Assistance Grant we requested.

Mayor Arnold read an invitation from Kenneth Holloway inviting the Mayor and Borough Council to the Palmyra High School Graduation Ceremonies on June 14<sup>th</sup>, 2018.

### **PROFESSIONAL UPDATES**

#### **James Winckowski, CME**

James Winckowski stated the last two cameras Legion Field by the basketball court and Ethel B Hardy Park were installed, however we are still waiting for the electric to be installed at those locations. Mr. Winckowski indicated, once the final two cameras are tied into the system a final sit down will occur with the vendor to trouble shoot any issues that need to be addressed. Mr. Winckowski stated when that is complete we will take ownership of the system. Mr. Winckowski noted once we accept ownership of the system there will be a 90 day warranty period. Copies of the concept plan and rendering for Grove Park have been distributed to the governing body, Mr. Winckowski wanted to know if there were any comments and if council was ready to move forward with the final design so the project can go out to bid. Ms. Weiner inquired about the backless bench. Mr. Winckowski indicated the bench is backless to give more options as to which side you may sit. Mrs. Tait and Mr. Howard indicated the backless bench allows for more people to be able to sit. Ms. Weiner asked if there would be both trash receptacles and recycling receptacles. Mr. Winckowski indicated yes. Mr. Yetter inquired about a two sided bench (one back, two seating areas one on either side). Mr. Winckowski indicated he was not aware if they made something of that nature. Mayor Arnold noted the benches were also backless, in an effort to make them easily assessable for those who are handicap. Mr. Gural noted the more things which are added also drives the cost. Ms. Weiner asked if it was possible to notify local businesses regarding the landscaping portion of the project. Mr. Gural indicated a general contractor will bid the contract and he will have various sub-contractors. Mr. Gural indicated we may be able to notify local landscapes that they should submit their proposals to the potential general contractors. Mr. Gural indicated we were looking for final approval to move forward with final designs and specifications tonight, so that ground can be broken in September and the project completed by December. Borough Council was in agreement to move forward.

## **William Kirchner, ERI**

Mr. Kirchner indicated he received an email from Mr. Gural in regards to the Legion Field improvements. Mr. Kirchner indicated the weather has not been cooperative in the past few months however the contractor has accomplished the majority of the project, the fencing is complete, he has repaired the electrical lighting, however the big thing remaining to be completed are preparing the dugouts, repaired the dented siding and painting. Mr. Kirchner indicated that when the project was bid the siding was dented however since that time some of it has been removed which accounts for the nails sticking out. Mr. Kirchner stated he and the contractor were unaware of the change to the conditions at the dugouts but would be out in the morning to address the concerns mentioned. Mr. Kirchner stated the original trim installed is no longer available so the contractor presented use with some alternatives which have been ordered and will be installed when received. Mr. Kirchner noted when the weather is amenable the painting will be completed. Mr. Kirchner addressed some of the other concerns in the dugouts, which have been completed. President Russell asked about the fields. Mr. Kirchner stated the field was not part of the original job and was added after the contract was signed. Mrs. Tait indicated they did a fantastic job on the softball field. Some additional discussion was had regarding the things which should be address, who should address then and when. Mayor Arnold asked if any new concerns arise would everyone notify Mr. Howard, chair of the Parks and Grounds Committee so he can forward the information on to Mr. Gural so the problems are addressed in a timely manner.

Mr. Kirchner indicated the designs for the 2018 road improvement projects, which includes Filmore Avenue, PSE&G and NJAWC projects, and Orchard Avenue, are complete for Filmore Avenue and the PSE&G and NJAWC projects. Mr. Kirchner noted if you wish to proceed they can be out to bid within the next three weeks. Mr. Gural noted we would like to bid the projects at the same time. Mr. Gural stated the third project, Orchard Avenue should be treated separately as these two projects Filmore and PSE&G and NJAWC are ready to go but the Orchard Avenue project is still in need of additional discussion and planning. Council agreed to move forward with the bids for Filmore Avenue and the PSE&G and NJAWC projects.

Mr. Kirchner indicated the Public Safety Committee met to discuss Temple Blvd regarding the speeding and truck traffic. Various designs were presented to help with the traffic calming on that street. The proposal the sub-committee decided on was the curb bump outs at various intersections and a large pavement expansion at Firth Lane. Mr. Kirchner stated they chose the simplest design the twin "T" intersection. Mr. Kirchner stated we will still be doing the narrowing of the road with the skirt bump outs on either side to help with the speeding and also installing the rapid rectangular flashing beacons. Mr. Gural noted, Chief Pearlman, Mr. Haines and he agree this is the best manner in which to proceed. Mr. Kirchner spoke about the intersection of Delaware Avenue and Temple Blvd. where the bump outs and flashing beacons are, he indicated that does not include a stop sign. Mr. Kirchner noted there is another design which includes a three way stop however if implemented many parking spaces along Temple Blvd will be lost due to statues and parking restrictions in and around stop signs. Council agreed there should not be a stop sign. Mr. Kirchner stated no improvements can be made to Souder Street as it is owned by the Bridge Commission. Mr. Kirchner stated if council is in agreement with the items as discussed, the report will be finalized and a public outreach to the residents will be scheduled.

It was agreed that a public notice would be appropriate in addition to notifying affected residents directly. Mr. Gural noted he would reach out to the Bridge Commission letting them know the plan and reminding them of their decision to help with funding the project.

Mr. Gural stated the \$22,680.00 FEMA Grant money we received, for the tide gate project, we are going to have to pay back. There was discussion previously regarding the possibility of us checking with FEMA to see if we could reassign those funds to other drainage improvement work in the Harbour. Mr. Kirchner was notified that would not be possible.

## **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. Mr. Howard second the motion

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

**Mrs. Bossell of Cherry Hill** – Mrs. Bossell stated she was a member of New Jersey residents against puppy mills, and thanked Borough Council for considering an ordinance to ban the sale of commercially bred animals in the Borough of Palmyra. Mrs. Bossell indicated there are one hundred twenty other municipalities in the State of New Jersey who have passed this type of ordinance, five of which are in Burlington County.

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

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

Mayor Arnold asked if any item needed to be removed from the consent agenda. Mr. Rosenberg requested that resolution 2018-130 be pulled from the agenda as additional discussion was necessary in closed session.

## **RESOLUTIONS Consent Agenda**

Resolution 2018-126 to Resolution 2018-134 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

- **Resolution 2018-126**, Resolution Requesting Insertion Approval of item of Revenue and Appropriation N.J.S.A. 40A:-4-87 (Chapter 159) 2018 Distracted Driving Crackdown, U Drive, U Text, U Pay for \$6,6000.00.
- **Resolution 2018-127**, Resolution Approving Francis A Scalise as an Active Member of the Palmyra Fire Department
- **Resolution 2018-128**, Resolution Approving Keith S Gindville as an Active Member of the Palmyra Fire Department
- **Resolution 2018-129**, Resolution of the Borough of Palmyra Authorizing a Handicapped Parking Space for 406 W. Broad Street

- **Resolution 2018-130**, Resolution Authorizing the Mayor to Execute a Lease Agreement with the Independence Fire Company No 1 for the Borough's Use and Storage of Equipment in the Firehouse.
- **Resolution 2018-131**, Resolution Authorizing the Purchase of a New Phone System, Which is a Capital Improvement Exceeding \$15,000.00 from AV Business Communication Systems per their Proposal Dated April 18<sup>th</sup>, 2018
- **Resolution 2018-132**, Resolution Appointing Drew Lehrian to the Borough of Palmyra Shade Tree Advisory Board
- **Resolution 2018-133**, Resolution Authorizing a Refund of Sewer Overpayment on Account# 1728000-0 ,Block 103 Lot 5, 119 Maryland Avenue in the Amount of \$80.00
- **Resolution 2018-134**, Resolution Authorizing a Refund of Tax Overpayment on Block 60 Lot 5.01 519-521 W Broad Street in the Amount of \$1,682.71

Mayor Arnold asked for a motion to approve Resolutions 2018-126 thru 2018-129 and Resolution 2018-131 to Resolution 2018-134. President Russell made a motion to approve Resolutions 2018-126 thru 2018-129 and Resolution 2018-131 to Resolution 2018-134. Mr. Howard seconded the motion.

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

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

**NAYES: None**

**Resolutions noted in motion were approved**

#### **DISCUSSION ITEMS**

Mr. Gural explained that during the budget process across the board 2% increases were approved for all staff members. Mr. Gural noted that since that time some members of the governing body have expressed that they did not wish to have the 2% increase. Mr. Gural noted that everyone should have seen his emails regarding Council and the mayor salaries and how we have gotten to where we are today. Mr. Gural explained that currently council members are making decisions about their salary which effect the salaries of future governing body members. Mr. Gural noted it would be ideal if everyone had the same salary only differentiating between the Mayor, Council President and Council Members however that is not where we are now. Mr. Gural stated in order for the salary resolution to be completed we need to know all wishes for your salaries tonight. President Russell stated moving forward we should have a base rate for starting council members. President Russell suggested the current salary be rounded to \$2,700.00 for council members, with no 2% increase this year. Additional discussion was had regarding the salary resolution and the salary ordinance and their intended purposes. Mr. Gural suggested for the remainder of this year leave the salaries as they are, just indicate whether or not you want the 2% increase. Mr. Gural stated everyone should send him an email indicating how they feel about the increase. Mr. Gural noted then moving forward we adjust the salary ordinance to reflect the wishes of council.

Mr. Gural indicated he prepared a list of all of the events which we could possibly use or include volunteers. Because we now have volunteer insurance the event must be listed for the insurance

company in order for them to cover it. Mr. Gural stated in order for our volunteers to receive a benefit from it, it must be an official Borough event and their name included on a list. The list of volunteers must be maintained during the event. Mr. Gural noted all student volunteers under the age of 18 must additionally submit their parent permission slip.

Mr. Gural mention all the various emails going around regarding pending public events. Mr. Gural explained all the discussions regarding who, what, when, and where about those public events needs to take place here at borough council meetings, so everyone has a clear understanding/ direction of what is expected and who needs to do what and when. President Russell asked what the next public event is. Mrs. Tait indicated the War Memorial Celebration around Memorial Day and the Farmer's Market which begins on May 24<sup>th</sup>, 2018. Ms. Weiner inquired anyone who volunteers for the War Memorial Services, we should put their name on a list and send the list to Mr. Gural. Mr. Gural indicated yes and also prior to the event we need to know what is expected of the staff and what is needed from the staff. Ms. Weiner indicated she would send him an email stating what is needed. Mrs. Russell indicated that is the problem, what Mr. Gural is indicating is the conversation needs to take place here so when we leave here everyone knows exactly what is going on and who has to do what and everyone has agreed upon it all, therefore there are no mixed messages.

Ms. Weiner handed out examples of some of the ideas the committee has regarding some proposed changes to allow for outdoor dining and seating. Ms. Weiner indicated there were suggestions that if our ordinance changed and allowed for alcohol beverages to be consumed outside, it would only be when food is being served. Ms. Weiner also explained some of the ideas for outdoor seating, such as no advertising on the seating and all objects must be moved in at night etc. There was some discussion and questions from council regarding the outdoor seating and tables. Ms. Weiner explained the various handed outs presented and explained that now they need to contact the professionals for help regarding how to incorporate those ideas into an ordinances. They are seeking approval from the governing body to allow those professionals to look over, make suggestions and incorporate their ideas into an ordinance for presentation to the governing body. Mrs. Tait inquired what was needed to move this forward. Mr. Gural indicated a clear understanding from the governing body that they wish to proceed. Mayor Arnold indicated she and other councilmembers were just given the information and have not had an opportunity to review it, which they would like to have, therefore she would like to place it on the agenda of the next meeting before turning it over to the professionals. Mrs. Tait stated she would like to see what the professionals have to say before she weighed in with comments. Mr. Howard indicated he would like to see it move forward. Some additional discussion was had regarding moving it forward. Mayor Arnold indicated she was not in favor of moving forward. Mr. Gural indicated there must be a consensus of the governing body to move forward.

President Russell made a motion to move forward with the Outdoor dining/ seating ordinance by asking a professional to incorporate some of the committee's ideas with their suggestions into an ordinance and bring it to council for their consideration. Mrs. Tait second the motion.

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

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

**NAYES: None**

## **Motion was approved**

Mr. Gural explained he received two requests, one from Chief Pearlman the other from the Green Team, regarding amending our no smoking ordinance to include vaping also in those areas and possibly extending the already designated areas. Mr. Howard stated he was concerned about a resident walking down the street near the high school vaping and possibly being in a designated area not knowing it was in place. Chief Pearlman indicated he was not aware of what the Green Team submitted. Chief Pearlman indicated he would meet with the Green Team and Mr. Rosenberg and try to work out something which can be submitted to council for consideration. Mr. Gural indicated we will put this back on the agenda in June and see what recommendations the committee has.

Mr. Gural stated the Borough of Riverton does not have a jetter and has requested use of ours. Mr. Gural explained this could be a potential shared service opportunity for the Borough. Mr. Gural noted a jetter is the equipment which cleans out sanitary sewer lines and storm drains. Mr. Gural indicated we informally share resources with Riverton Borough and would not want to charge them huge sums of money for those services. Mr. Gural suggested maybe a free service four times a year during business hours and if we exceed four events a year we would charge a nominal hourly rate. Mr. Gural stated Mr. Rosenberg could put something together to formalize the agreement.

Mr. Gural indicated the State Chief's Conference is being held in Atlantic City, June 25<sup>th</sup>, thru June 27<sup>th</sup>, 2018. Mr. Gural noted Chief Pearlman has requested an overnight stay so we are seeking approval from the governing body. The governing body approved the request.

Mr. Yetter stated the official establishment of the Green Team is needed for our certification. Mr. Yetter stated, the purpose and goals of the Green Team should officially be established by resolution, thus making it a committee of the governing body. Mayor Arnold question why it needed to be established by resolution, other than requested by Stainable New Jersey, as no other committees of the governing body were established by resolution. Mayor Arnold asked Mr. Rosenberg for his thoughts. Mr. Rosenberg indicated he did not know, other committees were not established by resolution they were just agreed upon by the governing body. Mr. Rosenberg stated he did not believe there was not a reason not to do it if it helps to obtain the Borough's certification, it would expire at the end of year anyway. Mr. Gural noted if the governing body wished it to be long term or permanent committee they would need to address it by ordinance. Mayor Arnold and Mr. Gural indicated there would have it reviewed by Mr. Rosenberg and it would be ready by the next meeting.

Mr. Almond stated he placed a copy of the newsletter in everyone's mailbox and Mr. Gural sent it to everyone on Friday. Mr. Allmond inducted he was looking for approval so that it could be forwarded to the general public. Council agreed. Mr. Allmond stated he would sent the final copy to Mr. Gural to have it disbursed.

Mr. Gural indicated if council is in agreement with the proposed ordinance prohibiting puppy/kitten mills, he will send it to Mr. Rosenberg to prepare the ordinance for introduction at our next meeting. Council agreed.

Mr. Gural indicated the public hearing for 703 Pennsylvania Avenue was postponed and has been rescheduled for May 17<sup>th</sup>, 2018 at 12:00 noon here at Boro Hall. Mr. Rosenberg also indicated all of discovery has been turned over to Mr. Jonassen's attorney for that hearing.

Mr. Gural indicated we have a similar situation at 400 Arch Street as what we have at 703 Pennsylvania Avenue, we are beginning the same process there as we are doing on Pennsylvania Ave.

#### **ADMINISTRATOR'S REPORT**

Mr. Gural indicated the NJ Transit bombardier railroad maintenance project which was to begin two nights ago has not begun, as soon as we notified everyone they would be working, they notified Chief Pearlman that they would not and they would get back to us with a date as to when they would be commencing that project.

Mr. Gural noted the noise complaints are coming again from the Frankfort boat launch area. Chief Pearlman is addressing the problem with the Philadelphia Police Department on Frankford.

Mr. Gural indicated all business in town are required to register and obtain a mercantile license. A particular business has been denied a mercantile license due to reports in both the Police Department and the Zoning Office. The business and owners have been notified, and they have been told to cease and desist operations. All information supporting that decision was forwarded to the business and he just wanted council to be aware if perhaps you hear from them.

Mr. Gural indicated in your packet is a sample of the surveillance signs to be posted in the parks, they have been ordered and will be installed when received

Mr. Gural stated the Borough has been notified that we will be receiving a Sustainable Jersey Grant. Mr. Gural noted it will be publicly announced and awarded tomorrow.

Mr. Gural reminded the Governing Body of the required 2018 Stormwater Permit Compliance Training, which must be completed by July.

Mr. Gural indicated the NJ Urban & Community Forestry Program Grant application we were pursuing, there was just not enough time to gather the information required so we decided to move on to other opportunities. Mayor Arnold inquired if it was something the Shade Tree Advisory Committee could assist with when the opportunity presented again. Mr. Gural indicated he thought so, and that would be helpful.

Mr. Gural noted he reached out to the PCR EMS and indicated we would not be able to provide them workmen's compensation insurance, he asked if there was some other sort of compensation we could provide. To date Mr. Gural stated he has not heard back from them. Mr. Gural stated this agreement and payment is required as they provide the no pay services to our residents. Mr. Gural noted we allotted 2,500.00 in the budget for this.

Chief Pearlman indicated they have potential hires for the police department, they are in the process of evaluations and hope to have additional information at the next meeting.

Mayor Arnold indicated she will be attending Career Day on May 25<sup>th</sup>, 2018 at Octavius Catto Family School. Mayor Arnold indicated she attended the New Jersey Conference of Mayor's which was very informative, some of the sessions included were legislative updates, types of micro- brewery licenses, gun safety in schools, COAH, and a host of other things.



## **COMMITTEE REPORTS**

**Mrs. Tait – Public Safety Director, Board of Education Liaison, and Public Events**– Mrs. Tait stated the Public Safety committee met regarding Temple Blvd and discussed the information which was presented earlier in the meeting, additionally Mrs. Tait stated a meeting was set up with PAL RIV regarding the baseball and softball fields conditions however no one showed up from the PAL RIV organization. Mrs. Tait indicated the School Board meeting is this coming week.

**Ms. Weiner – Administration and Finance, Business and Community development, Homeowner Association** – Ms. Weiner stated the finance committee met on April 23<sup>rd</sup>, 2018 and spoke about some administration issues. Ms. Weiner noted the business and community development committee met and talked about the Farmer’s Market, outdoor seating, and some issues with some of the businesses. Ms. Weiner stated she is waiting for hard copies of the two estimates for the landscaping of the flower beds at Broad Street and Cinnaminson Avenue, when she has them she will present it to council. Mayor Arnold inquired if we need permission from NJ Transit to work on the beds and if we could just hire a contractor to do so. Mr. Gural stated he believed in our agreement with NJ Transit it is our responsibility to maintain those beds however a certification is required to work close to the railroad tracks. Mr. Gural noted our public works department has those certifications. Mr. Gural stated he believed there is a certification which a contractor may obtain, however he would need to look into it further. Ms. Weiner handed out a flyer for the Farmer’s Market which starts May 24<sup>th</sup>, 2018. Ms. Weiner stated in the past Public works has given us extra receptacles which they bring up prior to the market and remove after the market, also the police department put out cones to mark off the street, around the food trucks for safety and reviewed the references of applications submitted by vendors. Ms. Weiner indicated the Borough opened the building for the use of bathrooms during the open market time and provided access to the electrical panel on the band shell. Ms. Weiner indicated they would also like to have the banner from last year hung again. Ms. Weiner indicated they would like to have the flyer posted on the website and at the top of the flyer is the new logo for the Farmers’ Market. Ms. Weiner indicated she would check the doors at closing to make sure they are locked. Mayor Arnold inquired if the logo for the Farmer’s Market needed official approval. Mr. Gural stated it should be officially recognized so it can be placed on the website. Mr. Rosenberg indicated the Borough would have to have trade name protection in order for the Borough to use that name in an official capacity. Some discussion was had regarding the name and the potential that someone else may already be using it. Mr. Rosenberg stated give him the opportunity to look into it. Mayor Arnold indicated she would like for it to read Borough of Palmyra Farmer’s Market not Palmyra Farmer’s Market. Ms. Weiner indicated she would look into whether or not someone was already using the name. Some additional discussion was had regarding the name and placing it on the website in its current form. Mr. Rosenberg indicated it was a manageable risk to place it on the website. Council agreed it was ok to put it on the website.

**Mr. Allmond –Communications and Public Relations Committee**– Mr. Allmond stated communications was covered earlier in the meeting, and he had nothing further to add.

**Mr. Yetter – Public Works, Redevelopment and Negotiations** – Mr. Yetter stated the public works committee has not yet met however will be meeting soon and the electronic collection is going great, people really appreciate it. Mr. Yetter noted we already spoke about what the Green Team has been doing.

**Mr. Howard – Youth and Recreation, Public Building, Grounds and Parks** –Mr. Howard stated he sits on the same committees as reported earlier, and all has been reported.

**President Russell – Construction, Housing and Code Enforcement Committee**– President Russell thanked Council for appointing Drew to the shade tree advisory board. President Russell indicated trees have been order and should be in soon, additionally some Crepe Myrtles on Broad Street along the railroad need to be replaced. President Russell stated they are also looking at extending the trees down Market Street towards Rt. 73. President Russell indicated they are contemplating testing the soil at Legion Field as so many trees have died. President Russell stated they are looking at the process of how to determine if a tree is healthy or not. Mr. Gural stated Mr. Haines, our Tree officer is responsible for making that decision, and Mr. Austin who use to hold that position is also very knowledgeable. President Russell stated the construction committee is looking at putting together a packet for our new businesses to streamline the process. President Russell indicated new businesses are having a challenging time once they get into town so they are trying to figure out a way to help. President Russell indicated we currently do not have a policy which allows for benches outside of the business. We are currently working on something, but until we have something in place can a business have benches out and bring them in, in the evening. Mr. Gural stated that is actually a violation, and would not be permissible, our ordinance does not allow for outdoor seating, however council can change that ordinance if they choose. Additional discussion was had regarding the outdoor seating ordinance and the enforcement of it. Mayor Arnold asked Mr. Howard and President Russell how the Walter Rand Dinner when. President Russel indicted former Governor Florio was honored along with two others and they were able to sit with one of the scholarship recipients who gave us insight into helping the communities. Mr. Howard stated it was a great opportunity.

### **COMMUNITY SPOTLIGHT**

Mayor Arnold announced the 19<sup>th</sup> Annual Senior Expo will be held at Masonic Village in Burlington Township on May 10<sup>th</sup>, 2018.

Mayor Arnold stated the NJCEED Program at Virtua is offering free mammograms for uninsured residents of Burlington County on May 10<sup>th</sup>, 2018 at Tabernacle Baptist Church in Burlington, NJ.

The Burlington Country Sheriff's Dept Senior Services Unit is conducting free home security inspections for seniors in Burlington County.

Ms. Weiner indicated she attended the Arbor Day Celebration at Charles Street School where a third grade classes helped plant a tree, she also attended The Arbor Day celebration in Riverton, both were great.

Mayor Arnold stated the Relay for Life is doing a fundraiser, "Racing for a Cure" at the Speed Raceway in Cinnaminson on June 23<sup>rd</sup>, 2018.

### **PUBLIC COMMENT**

Mayor Arnold then asked for a motion to open the Public Portion. Mr. Yetter 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. Kelly – Highland Avenue** – Mrs. Kelly encouraged the Mayor and Council to appoint the Green Team by adopting the resolution and to continue with the process of becoming certified. Mrs. Kelly noted five things to becoming certified and expressed some of the reasons it is good, useful and helpful to the community.

**Mrs. Holloway – Broad Street** – Mrs. Holloway inquired about the status of 400 Arch Street. Mr. Gural indicated the homeowner will be served with notification of a public hearing regarding the possibility of demolition on the property. Mrs. Holloway inquired about the status of 515 Race Street. Mr. Gural noted the bank which owns that property believes the property is vacant, however we are aware that it is not. We are currently working with the property owner, whose responsibility it is to evict any who is not supposed to be in their property. The Borough cannot evict a property owner's tenant. Mr. Gural indicated we are working on it, however you must remember we can only do so much as it is private property. Mrs. Holloway stated in regards to the logo for the Farmer's Market, we pay our taxes and sewer to the Borough, the Borough of Palmyra is our name, so why not have The Borough of Palmyra on the logo for the Farmer's Market not just Palmyra Farmer's Market. Mrs. Holloway inquired about council voting on something which everyone had not read or seen regarding outdoor dining and seating. Mayor Arnold noted the information was presented tonight and it was asked if that information could be given to the professionals to look at the ordinance and to give their comments on it. Mayor Arnold indicated everyone had not seen the information before tonight, so she wanted the opportunity to read the information and to provide comments before it turned over to the professionals. Mrs. Holloway asked if it came out of committee and if all of council had the opportunity to read it. Mrs. Holloway stated, why it could not wait another day, to give everyone the opportunity to read the documents before making any decisions as only three people on council had the information beforehand. Some additional discussion was had. Ms. Weiner stated it will come back to council many times before any decisions are made.

**Mr. McElwee – Columbia Avenue** – Mr. McElwee stated he has no problem with outdoor seating but open containers of alcohol, is that legal?. Mr. McElwee indicated the bike racks are in front of Bill's and the shrubbery in front of Curran's, and the sidewalk in front of Curran's is the least amount of area, and if a wheelchair came thru it might be a problem. Mr. McElwee thanked Mr. Allmond for coming to the clean-up at the War Memorial. Mr. McElwee noted Ms. Weiner came to the War Memorial meeting and she indicated she would speak to Mr. Haines and let him know, we need three tables, one hundred chairs, coolers, ice, water and the podium and sound system. Mr. McElwee stated in addition we need the barrels to block of the streets and Mr. Haines to install the new plaque before Memorial Day.

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.**

## MAYOR AND COUNCIL COMMENTS

**Brandon Allmond** had no comment

**Timothy Howard** hoped everyone had a good time at Palmyra Day. Mr. Howard stated he had a question. Mr. Howard indicated he has worked on Palmyra Day for a number of years with the Community Center Program Board and they received so much flack regarding everything they did for Palmyra Day, from where the tables were lined up to what trucks were certified; he indicated we had volunteers who quit because they did not like what was going on the day of the event. Mr. Howard indicated he was told that there was a Weichert Realty table, which is a business, between the Borough of Palmyra table and the Palmyra Police Departments table. Mr. Howard stated the non-profits and the Borough were all set-up in one area why was a Weichert table in the mist of the Borough and Police Department table when that's a business that is not even in town, however Mayor Arnold is a member of that business. Mr. Howard stated this goes back to some things which were stated at previous meeting about some unethical things which are going on. Mr. Howard asked "how could you have your business table mixed with the Borough, right there, are you working both tables?" Mr. Howard stated if you were then that's a conflict of interest, you should be at the Weichert table or you are the Mayor. Mr. Howard stated Century 21 is a local business however you don't see any of their signs in town all we see is Weichert Realty on properties which are vacant and or are owned by banks. Mr. Howard indicated he believes this is unethical and we need to understand what is going on. President Russell stated several people referred to the Weichert table as the Mayor's table. President Russell indicated she had a problem with that being done. President Russell stated she did not know how to move forward with looking at this and wanted to know how, but also wanted to make a formal complaint regarding this. Mayor Arnold indicated any business could have participated in the event. Mayor Arnold stated "she participated in the event and she does have a business, she does have a job and she is the Mayor, that's a fact and she is permitted to do both", however she did not mix the two. Mayor Arnold noted if you wish to file a complaint, go right ahead. Ms. Weiner stated, "You are constantly using your position as Mayor to further your personal interest, and it's not ok." Mayor Arnold stated, "You are so wrong". President Russell state she thought this was an ethical violation and she would like for Mr. Gural to investigate it. Mayor Arnold stated Mr. Gural does not get involved with this if you think there is a problem take it up with the proper authorities. Mr. Howard and Ms. Weiner asked who it would be reported to if they wanted to file an unethical complaint for investigation. Mr. Rosenberg stated they should go to the Department of Community Affairs to register that complaint. Mr. Howard inquired we can ask our professionals, Mr. Gural or Mr. Rosenberg to do an investigation to see if we can get anywhere. Mayor Arnold indicated "no". Ms. Weiner stated she disagreed and believed that council could ask the administrator to investigate a potential ethical issue here. Mr. Rosenberg stated, municipalities have the option to, have your own working ethics board or most municipalities defer to the Department of Community Affairs. Every citizen has the right to file a complaint with the Department of Community Affairs alleging that an elected official has a conflict of interest or has done something unethical. Mr. Rosenberg stated he does not think it is a function of the administrator to be a private investigator, considering he works for the entire governing body. Mr. Rosenberg stated he did not feel as though Mr. Gural should be compelled to investigate allegations of unethical issues among the governing body. Mr. Howard noted he did not want Mr. Gural to investigate but to hire someone to look into it. President

Russell again stated this is a potential ethical violation which needs to be look at, and how do we move forward to do that. Mr. Yetter stated, Mr. Rosenberg stated, you present it to the Department of Community Affairs. Mr. Rosenberg indicated in the pass people have submitted a letter to the Department of Community Affairs asking them to commence an investigation. Ms. Weiner stated to Mr. Rosenberg, "so your saying that under no situation that the council as a whole, able to instruct their administrator to have something looked into?" Mr. Yetter stated "you need to do it yourself." Mr. Rosenberg stated this not what he say, he said you have the right to hire somebody if you choose to do so, to do that investigation, he just does not think the administrator is the person to do that. Mr. Rosenberg indicated other towns have appointed special ethics advisors or hired ethics attorneys to look into things. Mr. Howard inquired if we had an ethics attorney. Mr. Rosenberg indicated, we do not. Ms. Weiner asked so how does council move forward. Mr. Rosenberg stated you could solicit RFPs for an Ethics Attorney or what has happen in the past, is individuals could contact Department of Community Affairs and go through the process, and wait for their decision. Mr. Yetter stated, first go to the DCA; before you hired someone, you should talk to someone on your own at DCA to see if you have a solid case before you go hiring someone and spending money. Mayor Arnold stated, remember you will also be paying for her representation, as she too will be hiring an attorney.

President Russell made a motion to look into seeing what our options are in terms of looking for an attorney who handles this type of situation, and investigates, who would be an appropriate person to look into ethical issues. Mr. Howard second the motion.

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

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

**NAYES. Mr. Yetter**

**Motion was approved**

**Gina Tait** had no comment.

**Lewis Yetter** stated he loved Palmyra Day and hoped everyone had as much fun as he did. The weather was incredible and can wait until next year.

**Mindie Weiner** had no comment

**President Russell** stated she wanted to congratulate Senator Singleton who won the voice of business from the Burlington County Regional Chamber of Commerce. President Russell also indicated how much she enjoyed Palmyra Day and so did her grandson.

**Mayor Arnold** indicated she received information for our grant writer and was asked to sign an affirmation for the Farmer's Market Grant application. Mayor Arnold indicated by signing the letter she is the one who is responsible for making sure all of the nineteen items are in compliance. Mayor Arnold stated she asked for information regarding the Farmer's Market and was not given it. Mayor Arnold indicated since there had been discussion about the Borough not doing the Farmer's Market she wanted to be sure that when this document was signed that we were moving in the right direction. Mayor Arnold stated she signed the affirmation for the grant so that we can move forward and hopefully we will be getting some money towards the Farmer's Market, however she will also be making sure all

nineteen of these requirements are met, and some things, some changes are going to have to be made. There was additional conversation between the Mayor, Mr. Weiner and President Russell.

Mayor Arnold asked if there was business for executive session. Mr. Rosenberg and Mr. Gural indicated yes.

President Russell made a motion to approve **Resolution 2018-135** Resolution Excluding the Public from Certain Meetings Pursuant To Section 8 of the Open Public Meeting Act C. 231 P. L. 1975.

**Litigation, Contracts.** Mr. Howard second the motion

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

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

**NAYES:**

Borough Council went into closed session at 9:57 pm

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

All voted in favor of the motion.

Borough Council returned from closed session at 10:28 PM

President Russell made a motion to approve **Resolution 2018-136** Resolution Authorizing the Administrator, Mr. Gural to determine whether the Borough should execute an agreement with AV Business Communications Systems and if so, authorized the Mayor to execute said agreement. Mr. Yetter second the motion.

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

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

**NAYES: None**

**Motion was approved**

President Russell made a motion to adjourn the meeting. Mr. Yetter second the motion.

All voted in favor of the motion

**Meeting adjourned at 10:31 PM**

Respectfully Submitted

*DRJ*

Doretha R Jackson

Acting Municipal Clerk