

Borough of Palmyra
Council Caucus Meeting Minutes, 7:00 PM
Monday October 1st, 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

No invocation was given

APPROVAL OF MINUTES

Mayor Arnold requested a motion for approval of the, September 17th, 2018 Regular Council Meeting Minutes.

President Russell made a motion to approve the minutes from the, September 17th, 2018 Regular Council Meeting. 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

Mayor Arnold requested a motion for approval of the, September 17th, 2018 Executive Session Minutes.

Mr. Yetter made a motion to approve the executive session minutes from the, September 17th, 2018. President Russell 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 acknowledged a letter received from the Voice of South Jersey Irish Society regarding Ken Smith.

Mayor Arnold also acknowledged a thank-you letter received from the VanEmburch Family.

Mayor Arnold acknowledged many, many emails and letters of support received by the Municipal Clerk in support of the Outdoor Dining and Outdoor Furniture Ordinances. Mayor Arnold indicated because of the number of emails and letters received all could not be read tonight due to time constraints of the meeting, however if anyone would like to review them they will be in the Municipal Clerk's office.

Mayor Arnold read and accepted a letter of resignation from Jeremy Jankowski.

PROFESSIONAL UPDATES

James Winckowski, CME – Mr. Winckowski stated the preconstruction meeting was held on the 21st of September and the contractor will be starting by the end of this week. Mr. Winckowski indicated the purchase order for the archway is on the agenda tonight however the contractor has already begun so the he can deliver it by the end of November. Mr. Winckowski stated they are looking at having the project completed by December 7th, 2018. Mr. Winckowski also indicated some of the plants currently in the Grove will be relocated to other areas in town by public works.

Mr. Winckowski stated the public hearing regarding the condition of 400 Arch Street was held in September and the presiding officer issued his report last week. The report indicates the homeowner and or lien holder must act within the next 30 days to secure the property and decided what they are going to do with the property, if no action is taken the borough will begin proceeds to have the property demolished.

William Kirchner, ERI – Mr. Kirchner indicted there are three items one the agenda tonight regarding ERI, the on call contractor contract, the HVAC preventative maintenance contract and the extension of the sludge removal contract. Mr. Kirchner noted two are to prepare the bids for the contracts for next year. Mr. Kirchner noted the sludge removal contract will be extend for one year with no price change and council will have the option to extend it for one more additional term of a year if they choose next year. Mr. Kirchner noted the 2018 road program started last week and they are hoping to have it complete before October 30th, 2018. Mr. Kirchner indicated he and Mr. Gural have been negotiating with PSEG and New Jersey American Water regarding Delaware Avenue, Temple Blvd, Van Sant Drive and Horace Avenue to have streets completely paved. Mr. Gural indicated there are working on commitments from PSEG and NJ American Water Co for the street paving of Van Sant Drive, Veterans Drive and a few others also noting the streets will be paved in the next street paving project in 2019. Mr. Kirchner and Mr. Gural noted that there has been also of conversation regarding bike lanes on

Temple Blvd. Mr. Gural noted there are either going to be bike lanes or parking as the roadway is not wide enough to have a bike lane and parking on both sides of the street. Mr. Gural stated there is one concept, a share the road concept which entails stripping the road making drivers more aware of the bikers on the roadway however the bikers are mixed with the vehicular traffic. Mrs. Tait stated there was talk of having parking on only one side of the street. Mr. Gural stated it would be inconvenient to the homeowners on Temple Blvd to have parking on only one side of the street. Mr. Yetter asked if there was a way to put in ramp for bikes so they did not have to go into the street. Mr. Kirchner indicated the way it is designed the bicyclist would not be impeded by the bump outs.

1st 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

Mr. Casparro – Morgan Avenue – Mr. Casparro asked if the Land Use Board’s vote was whether or not the sidewalk ordinance and outdoor seating ordinance was compliant with the Master Plan. Mr. Gural indicated yes. Mr. Casparro stated the Land Use Board cannot approve or disapprove the ordinances that is a council decision. Mr. Gural indicated yes. Mr. Casparro indicated both ordinances had his full support, as it is something which would really help out the businesses in town.

Mrs. Cloud – Cinnaminson Avenue– Mrs. Cloud stated she was in full support of the outdoor seating for dining and the sidewalk furniture Ordinances.

Mr. Schofield – Zeisner Street– Cinnaminson/Broad Street – Mr. Schofield indicated he was here to express his support for the outdoor dining and seating ordinance. Mr. Schofield indicated he was the owner of the Farmacy Restaurant on Broad Street. Mr. Schofield indicated Palmyra does not have a bustling downtown and did not understand why they didn’t. Mr. Schofield stated he felt it would bring more revenue to the town.

Ms. Green– Cinnaminson Avenue – Ms. Green indicated she owns Mayfair Travel on Cinnaminson Avenue. Mrs. Green stated there is a really good feeling, a welcoming atmosphere towards businesses in the community now. Ms. Green indicated she was in support of the outdoor furniture and outdoor dining and seating ordinances and she supports the local businesses. MS. Green stated it feels like the businesses and the council and community are in sync with trying to improve the business district.

Ms. Vanneman– Quay Court – Ms. Vanderman indicated she had been a resident of Palmyra for five years and has seen some good things come to town like the Farmers market, and new businesses. Ms. Vanderman stated we are supposed to be a place to grow so it seems like we should be growing and showing others that we are having a grand time in our establishments which have outdoor seating. Ms. Vanderman indicated she is drawn to outdoor dining and is in support of those ordinances moving forward.

Mrs. Butler – Arch Street– Mrs. Butler asked if someone could explain the agenda item, request to allow alcohol be served on Sunday October 28th, 2018 beginning at 9:30 am. Mayor Arnold indicated the owner of Currans requested that the exception be made as the Eagles are playing early that day in London. Mrs. Butler asked why we would consider selling alcohol at 9:30 on a Sunday morning because

the Eagles are having a football game. Mrs. Butler indicate she did not feel as though it was good for the community. Mrs. Butler indicated one business would profit from this and the owners do not reside in town.

Mr. Norcross – Temple Blvd. – Mr. Norcross thanked Mayor and Council for flowers he received while in the hospital. Mr. Norcross also stated he did not feel the bars should be opening early due to a football game. Mr. Norcross stated he was also against outdoor dining because of the pollution. Mr. Norcross also indicated the Borough has an ordinance which says you cannot drink (consume alcohol) anywhere in the Borough of Palmyra on a public street, public sidewalk or public park. What are you going to do with the ordinance? Mr. Norcross stated what happens when we have people outside eating and drinking and children, students are walking by, we are a walking school district. Mr. Norcross indicated he was against the ordinance for outdoor dining. Mr. Yetter stated the ordinance on the agenda tonight only covers dining and seating outside, it does not allow for alcohol consumption. Mr. Howard also inquired if we had received permission from the county to have outdoor dining and seating in the right of way as both roads are county roads. Mrs. Russell indicated council has been working on this over two years. Mr. Norcross stated no council has been working on it over seven years.

Mrs. Williams – Cinnaminson Avenue – Mrs. Williams stated she was here in support of the outdoor seating ordinance. Mrs. Williams indicated many children visit her shop to purchase cookies or ice cream and she also has many parents who come with little children in strollers who would like to sit outside and have their ice cream or drinks. Mrs. William indicated the furniture would not be stationary and she will have to bring it in at night, but she is willing to do that for her business.

Ms. Bovia – non-resident– Ms. Bovia stated she sent a letter to Council woman Weiner and asked if she had it. Ms. Weiner indicated she would look for it. Ms. Bovia indicated she is an employee at Mama's Cookies and is looking to become a resident of the Borough. Ms. Bovia indicated many children come to eat their cookies and have ice cream so she hopes the ordinance passes. Mr. Gural then gave Ms. Bovia her letter however indicated it need to be returned as it is the official document. Ms. Bovis then read from her letter, stating...Communities throughout New Jersey and the country have successfully opened their sidewalks to outdoor seating, I strongly feel they should do the same here. I ask that this letter be entered on the record and presented to the Mayor and all Council members to show there is support from people who work here in Palmyra, perspective future residents and visitors alike. Thank You for listening.

Mrs. Stackhouse – Delaware Avenue– Mrs. Stackhouse indicated she lives in Palmyra and also owns a business in Palmyra, she indicated she was in favor of outdoor seating. Mrs. Stackhouse indicated when she was the owner prior she did have tables and chair outdoors, everyone loved it and it also let people know when she was open

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

All members present voted in favor of the motion.

ORDINANCES ON SECOND READING (Public Hearing)

Ordinance 2018-13, An Ordinance of the Borough of Palmyra, County of Burlington, State of New Jersey Allowing for Outdoor Cafes and Seating Areas for the Purpose of Outdoor Dining

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

At the call of the roll.

All voted in favor of the motion

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

At the call of the roll.

All voted in favor of the motion

President Russell stated the Land Use Board indicated the ordinance did not align with the Master Plan. Mr. Gural indicated the Land Use Board indicated it was inconsistent with the Master Plan. President Russell noted Mr. Yetter and Mr. Gural voted it was consistent with the Master Plan. Mayor Arnold abstained. And the other four voted it was inconsistent with the Master Plan. President Russell stated in 1992 the Master Plan talks about the downtown district and that it needed revitalization at that point. President Russell stated in 2008 when revisiting the Master Plan, it states, "the trend towards decline of the downtown business district remains an issue with ongoing storefront vacancies. The issue is being addressed by a partnership between the Burlington County Economic Development and Regional Planning which is conducting a determination of needs study and the Borough, which will develop a downtown revitalization plan based on the County's findings." President Russell indicated that was ten years ago. "In addition, owner rehabilitation should be encouraged and the Palmyra Economic Development Committee of the Palmyra Business Alliance should spearhead business recruitment efforts." President Russell indicated this was not happening when she and Ms. Weiner took office. President Russell stated "she did not understand how it could be found, that what we are trying to do is inconsistent with trying to revitalize the downtown of Palmyra." President Russell thanked every business who took time out to come tonight. President Russell stated Mr. Gerken has worked on this plan for many years and to in turn not show any progress is inexcusable. President Russell stated Mr. Weiner has done a superb job to spearhead this. President Russell indicated the vote of the Land Use Board is that outdoor eating and dining ordinance was inconsistent and that is not the case. President Russell indicated the ordinance is very much consistent with what they are trying to do.

Mr. Yetter stated the outdoor seating and dining was not outlawed, anyone could have had it if they applied to the Land Use Board and received a variance. Mr. Yetter indicated the idea of the ordinance is to save the businesses some money and to streamline the process.

Ms. Weiner stated, having these ordinances in place makes us more attractive to new business owners looking for new homes for their businesses.

Mr. Howard indicated a lot of factors were taken into consideration when creating this ordinance, not everybody can have outdoor seating. Mr. Howard noted if your business does not meet the requirements your business will not be able to have outdoor seating. Mrs. Russell indicated it is completely ADA compliant.

Mr. Rosenberg stated in anticipation of the vote the law requires the governing body acknowledge that they received the resolutions from the Land Use Board. Mr. Rosenberg noted the resolutions from the Land Use Board indicated, that the opinion of the majority of the Land Use Board the proposed Ordinances were inconsistent with the Master Plan. Mr. Rosenberg noted there is no further elaboration as to how these Ordinances are inconsistent with the Master Plan. Mr. Rosenberg stated the Land Use Board is simply an advisory board that gives an opinion. The Governing Body makes its own independent decision. The Governing body can accept or reject the recommendations of the Land Use Board.

Ms. Weiner indicated we received the Ordinances in our packet and while she appreciates the Land Use Boards opinion, respectfully she must disagree. Ms. Weiner stated there are multiple references which imply the Ordinances are consistent. Ms. Weiner stated she read all the Master Plans and reexaminations and there is language in every Master Plan that speaks to the decline of the downtown business district. Ms. Weiner stated page 5 of the reexamination, section A; states "stagnant economic conditions remain in the Broad Street corridor and the area lacks destination and restaurants. They need to create a vibrant atmosphere that will attract visitors to the corridor, particularly in the evening hours. The reexamination of the Master Plan for many years has served that revitalization of the business district is necessary." Ms. Weiner noted one way to revitalize is to do the things we are suggesting in these Ordinances. Ms. Weiner stated many towns have adopted similar ordinances to do just that, to revitalize their downtown districts. Ms. Weiner stated it absolutely complies with the master plan.

Mr. Gural stated he has served on the Land Use Board or Zoning Board for over 23 years. Mr. Gural stated Land Use Law is very complicated. Mr. Gural stated the land development code and the ordinances that are adopted by Borough Council and the Master Plan, which is the guide that the Land Use Board is required to adopt every ten years, are the primary documents which the Land Use Board refers to when making decisions. Mr. Gural noted that just because an activity is not specifically mention in the land development code doesn't mean it is inconsistent with the Master Plan. Mr. Gural stated the Master Plan which is what the Land Use Board was looking at, during their last meeting has all of the language which has been recited tonight and makes numerous references to the decline of our downtown district and recommends the Governing Body taken on things to improve opportunities for businesses. Mr. Gural stated when looking at the language one would conclude that these ordinances are consistent with the Master Plan.

President Russell asked if we could ask the Mayor why she abstained.

Mayor Arnold stated because as Mayor and if the Ordinances are passed she has the ability or right to veto. Mayor Arnold noted she felt it was not her place to impact the results or thinking of the Land Use Board. Mayor Arnold indicated she has a dual role which needed to be protected.

Ms. Weiner stated she was sorry the Mayor felt that way and she wished that you had voted and felt you had the opportunity to lead by example and would have loved to see you participate that way.

Resolution 2018-238 Resolution acknowledging receipt by the governing Body of the two Resolutions from the Land Use Board. LUB Resolution 2018-11 Resolution pursuant to the Municipal Land Use Law and referral of Ordinance 2018-13 adopted on first reading on August 20th, 2018; and LUB Resolution 2018-12 Resolution pursuant to the Municipal Land Use Law and referral of Ordinance 2018-14 adopted on first reading on August 20th, 2018 indicating both Ordinances were inconsistent with the Master Plan.

Mayor Arnold asked for a motion to approve Resolution 2018-238. President Russell made a motion to approve Resolution 2018-238. 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: None

Mayor Arnold asked for a motion to approve ordinance 2018-13. President Russell made a motion to approve Ordinance 2018-13. 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: None

Ordinance 2018-13 passed

Ordinance 2018-14, An Ordinance of the Borough of Palmyra, County Of Burlington, State Of New Jersey Allowing for the Placement of Sidewalk Furniture in the Town Center and Neighborhood Commercial Zones

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

At the call of the roll,

All voted in favor of the motion

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

At the call of the roll,

All voted in favor of the motion

Mayor Arnold asked for a motion to approve ordinance 2018-14. President Russell made a motion to approve Ordinance 2018-14. 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

Ordinance 2018-14 passed

Ms. Weiner thanked President Russell, Mr. Yetter, Mr. Allmond, Mr. Gerken, Mr. Gural, Loretta Kelly, Laura Craig, Michael Cloud, Quan Hue and all the business owners for all their help with the constructing and passage of these Ordinances.

RESOLUTIONS Consent Agenda

Mayor Arnold indicated Resolution **2018-231** to Resolution **2018-237** 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. Ms. Weiner requested Resolution 2018-236 be removed from the consent agenda.

Resolution **2018-231** thru Resolutions **2018-235** and Resolution **2018-237** will be enacted as a single motion.

Resolution 2018-231, Resolution Appointing John Pettite as Tree Officer for the Borough of Palmyra

Resolution 2018-232, Resolution Awarding a contract to Environmental Resolutions, Inc. (ERI) for the Engineering Services for the On Call Contracting Services Project per their Proposal dated September 10th, 2018 in the amount of \$4,500.00

Resolution 2018-233, Resolution Awarding a contract to Environmental Resolutions, Inc. (ERI) for the Engineering Services for the HVAC System Preventative Maintenance Contracts-2019 per their Proposal dated September 10th, 2018 in the Amount of \$4,500.00

Resolution 2018-234, Resolution Extending the Existing 2017-2018 Transportation and Disposal of Municipal Waste Water Sludge Contract of Franc Environmental of New Jersey, Inc. for one (1) year at the price of \$0.0835 per gallon.

Resolution 2018-235, Resolution For Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Temple Boulevard Reconstruction Project- Phase II

Resolution 2018-236, Resolution Authorizing Award to Iron Studio for Fabrication of Custom Steel Archway and Two (2) Bike Racks for the Grove Park Improvement Project in the amount of \$39,900.00 which includes Pre-Payment of a 50% deposit in Order to Initiate Construction.

Resolution 2018-237, Resolution Appointing Doretha Jackson as Alternate Deputy Registrar for the Borough of Palmyra

Mayor Arnold asked for a motion to approve the consent agenda Resolutions 2018-231 thru Resolution 2018-235 and 2018-237. President Russell made a motion to approve Resolutions 2018-231 thru Resolution 2018-235 and 2018-237. Mrs. Tait 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

Mayor Arnold then went back to **Resolution 2018-236**, Resolution Authorizing Award to Iron Studio for Fabrication of Custom Steel Archway and Two (2) Bike Racks for the Grove Park Improvement Project in the amount of \$39,900.00 which includes Pre-Payment of a 50% deposit in Order to Initiate Construction.

Ms. Weiner stated she did not have any discussion but didn't want it included on the consent agenda.

President Russell made a motion to approve Resolution 2018-236. Mr. Yetter second the motion.

At the call of the roll, the vote was:

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

NAYES: Ms. Weiner

Resolutions 2018-236 was approved

COMMUNITY SPOTLIGHT

Mayor Arnold stated the town wide Yard Sale is October 6th, 2018 with a rain date of October 7th, 2018. Mayor Arnold noted Evergreen Baptist Church is hosting a Women's Health Fair on October 13th, 2018 from 9:00 to noon.

Mayor Arnold stated free mammograms will be given on October 6th, 2018 from 10:00 to 3:00 at the Christ Episcopal Church on Parry Avenue.

Mr. Yetter stated on October 16th, 2018 the Halloween Parade Committee will be hosting a fundraiser at Chipotle in Cinnaminson from 4:00 to 8:00 pm.

Mrs. Tait indicated the first Halloween Costume Swap was held at the community center hosted by the Halloween Parade Committee and about fifteen children received costumes.

Mr. Howard noted Council was invited to the Athletic Hall of Fame Induction Dinner hosted by Palmyra High School at the Riverton Country Club on October 18th, 2018, and if anyone would like to attend please let Mr. Papenberg know.

Ms. Weiner stated PHSFEE held its Casino Night last weekend. Ms. Weiner indicated the fundraiser was a big success.

Ms. Weiner stated the Fire House is having a Designer Bag Bingo on October 21st, at 1:00 pm.

Mayor Arnold also indicated the Relay for Life was held last weekend at Cinnaminson High School.

Mayor Arnold indicated she attended the Eagle Scout Court of Honor for Roberto Cintron. Mayor Arnold indicated his eagle project was to streamline the process to determine how Veterans could

investigate or obtain any metals that they were due. Mr. Yetter stated you have to respect the process as it is not easy to obtain Eagle Scout.

DISCUSSION ITEMS

NEW Business

Mayor Arnold indicated we have already spoken about the town-wide yard sale.

Mr. Gural stated the service metals ceremony is scheduled for November 19th, 2018 as decided at the last council meeting. Mr. Gural noted the instructions are on the website instructing Veterans as to how they can request their military service metals.

Mrs. Tait stated everyone will be getting, in the next two weeks, information regarding what is going to be done for the Tree Lighting ceremony and what will be happening in the community center and everyone can choose what they would like to help with. Mrs. Tait stated she hoped everyone from council would participate. Mayor Arnold indicated she was disappointed, as for the last two years she has spearhead this event and it being taken over and her being left out does not sit well. Mrs. Tait stated everything is just being out together and will be put out for all to participate.

Mayor Arnold stated the idea to adopt a city from the flood ravaged areas in North or South Carolina is not as easy as one would think to identify a particular town or city. Mayor Arnold indicates she has reached out to Governor's Office and we may be doing something on a more regionalized bases than a particular city or town. More information will be coming.

Mr. Allmond stated the past few months he has been working on the student representation on Council with Mr. Gural, Mrs. Tait and the Superintendent of Palmyra High School, Mr. McBride. Mr. Allmond indicated they have put together some guideline to govern the process and to understand what their role would be with the governing body. Mr. Allmond indicated everyone was given the outline and the letter of endorsement from Mr. McBride and he wanted to know how everyone felt about it so it could be moved forward. President Russell indicates it looks great. Mr. Howard and Ms. Weiner agreed it was great. Mayor Arnold indicated this is something we had before and there are some changes she would like in regards to the outline. Mayor Arnold indicated the timeline for the student to sit with council should co-inside with the school year. Mayor Arnold indicated in the past it was always a senior however felt a senior did not get the full benefits of the community involvement. Mayor Arnold indicated she spoken with Mr. McBride and they spoke about it being a junior. Mayor Arnold noted there is so much going on for seniors in their senior year so she would like for it to be a junior. Mayor Arnold also stated she did not feel like two representative were need one is sufficient. Mr. Allmond noted the recommendation to have a junior and senior came from Mr. McBride, the superintendent and it was recommended to get more people involved and to allow someone to serve for potentially a year and a half. Additional discussion was had regarding the number to serve and the time frame. Mayor Arnold also noted in duties and responsibilities it states, may suggest thru proper channels items to add to the agenda for discussion. Mayor Arnold indicated she was not sure that was their role, the student is usually her to give us information and to be the liaison between the Borough and school from their perspective. Mr. Allmond noted that's what it would be, a topic they wanted to discuss from their role as a student; they could suggest to the Mayor and our Municipal Clerk if something could be placed on the agenda. Mr. Allmond noted it would only be a discussion item. Mr. Allmond stated he could revise the

wording as long as they have a spot to speak. Mayor Arnold noted the representative always had an opportunity to speak and give a report. Mayor Arnold question their ability to receive the entire agenda packet, she noted she did not feel that they should receive anything but what is or are public documents. Mr. Almond indicated that is exactly what that indicates, the Municipal Clerk would determine what they should have. Mayor Arnold question their ability to attend subcommittee meetings. Mr. Allmond explained if it have something to do with youth activities and they were formally invited by council. Mayor Arnold indicated there was nothing which included helping out at various events, is that something which should be included. Mrs. Tait indicated before they help out via various different organizations not necessarily as a council rep. Mayor Arnold asked if something could be included which would indicate volunteer opportunities are available. Mayor Arnold also indicated she did not feel like they should be sitting on the dais. After some discussion it was decided they would. Mayor Arnold stated she is opposed to installing that student rep at reorganization. A discussion ensued and it was decided they would be installed at reorganization. Mayor Arnold as for a resolution to approve the guidelines for Student participation with the Borough Council with the few changes mentioned.

Resolution 2018-239, Resolution Approving the Guidelines set forth for Student Participation with the Palmyra Borough Council.

President Russell made a motion to approve Resolution 2018-239. 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. none

Resolutions 2018-239 was approved

Mayor Arnold then appointed Mr. Brian Norcross and Mr. Theodore Scott the Land Use Board vacancies. Mayor Arnold also indicated she had additional names on a list to be appointed as other vacancies become available. President Russell asked was the process was to be selected for the Land Use Board. Mayor Arnold indicted it is an appointment by the Mayor. President Russell asked if there was some type of criteria for the position. Mayor Arnold indicated no formalized criteria. Ms. Weiner stated that the last time Mayor Arnold appointed people to the Land Use Board she indicated only two people reached out to her with an interest. Ms. Weiner indicated it is important to make sure that the town and resident know these appointments are made every year and we could do a better job at advertising the positions and/or marketing the positions. Ms. Weiner indicated there is a citizenship leadership form in our policy Manuel. Ms. Weiner asked is there a way we can advertise that these positions are available. Mr. Howard asked if the two names were for one year. Mr. Gural noted they are for unexpired terms. Mr. Gural stated there are appointments every year for Class four appointments, which there are five, as the terms are staggered. One or two are appointed every year for a three year term., Class one is the Mayor which is a four year appointment, Class two and Class three are a one year appointments. President Russell asked if there was a way to create criteria for appointment moving forward. Mr.

Rosenberg stated under our form of government those appointment are at the Mayor's discretion. Mayor Arnold noted she had no problem with posting on the website any open positions for appointment to various Boards and committees, along with proper contact information.

Mrs. Russell indicated the information relating to Cannabis/Marijuana Legalization and local option tax was just given to us this evening so she recommend it be postponed to the next meeting. Mayor Arnold stated we don't want to postpone the discussion. Mr. Yetter asked if under our current ordinances this would be banned in Palmyra. Mr. Gural indicated no as there is no provision in the law which allows for it, meaning the State law is going to supersede whatever land use restriction we may have implied on our books which would prohibit something of this sort. Mr. Gural noted the State is telling us that within one year of adoption that Municipalities must act and pass some sort of legislation that either prohibits these types of facilities from our community or provides for these types of facilities in our community with restrictions. Mr. Gural noted attached to Mr. Gerken's report is an article of which communities have already begun the process of allowing for a distribution center/facility in their Municipalities and have already applied to the state for the first round of consideration. Mr. Gural noted there is revenue to be gained. Mayor Arnold stated she had talked to many people and this is not for recreational use but rather for medical marijuana distribution. Mayor Arnold indicated the State is going to approve it so it going to happen it's a matter of time, the choice we have is to permit it in the Borough or not, and the timing is of the essence as we are in the process of reexamining the Master Plan. Mayor Arnold noted if we do not allow this then we do not share in the revenue which would be generated from the sale of medical marijuana. Mayor Arnold stated the decision does not need to be made tonight but the process of thinking about it need to begin. Mr. Howard stated he heard they were only going to allow two facilities in South Jersey once this is passed. Mrs. Tait asked South Jersey or Burlington County Mr. Howard indicated South Jersey. He noted he would check and get back to everyone. President Russell stated there are already two in South Jersey one in Bellmawr and the other is in the area of Deptford Mall. Mr. Gural stated the article indicates the Division of Marijuana Enforcement shall establish the number of retailers, including at least one marijuana retail store per county.

Mr. Gural indicated the Government Finance Officers Association Conference was held last week which our CFO needed to attend, so we are asking for reimbursement for her two night hotel stay at \$89.00 per night, as the arrangements were made after the last meeting and this is the first opportunity we had to come to Borough Council. Council agreed.

Mr. Gural indicated he was hoping to have the personnel policies and procedures manual for Council review. The requirement of JIF is that we adopt a new personnel policy and procedures manual every two years. JIF extended the deadline from October 1st, 2018 until November 1st, 2018 because there have been so many changes in the law. Mr. Gural indicated that leaves us with one meeting before November first. Mr. Gural stated he will ask for it to be adopted at that meeting and if revisions need to be made we can revisit it later.

Mr. Gural indicated he had previously forward the request to the governing body which came from CGPH on behave of the homeowner who wished to refinance his home, the subordination would be for the housing rehab loan which we have on the property. Mr. Gural noted the LTV ratio is 83% and he is

aware that we like to keep it under 80%, however this is so close he recommended we do it not to lose the COAH credit.

Mr. Rosenberg stated some stipulations should be placed on this resolution being that we have their appraisal, the title company will make sure the position of the Borough of Palmyra is second and the documentation be review by Palmyra before it is finalized. Mr. Gural explained the COAH consequences regarding the refinancing and what would happen if we did not approve it

Mayor Arnold asked for a Resolution 2018-240 to Resolution to Authorize Approval for Subordination of Palmyra Housing Rehabilitation Lien on Block 103 Lot 5, allowing the New First Mortgage to AFC/Nationstar Mgt., LLC to Supersede the Borough of Palmyra Housing Rehabilitation Program Lien with the Conditions Stipulated.

President Russell made a motion to approve **Resolution 2018-240**. Resolution Authorizing Approval for Subordination of Palmyra Housing Rehabilitation Lien on Block 103 Lot 5, allowing the New First Mortgage to AFC/Nationstar Mgt., LLC to Supersede the Borough of Palmyra Housing Rehabilitation Program Lien with the Conditions Stipulated. 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: none

Resolutions 2018-240 was approved

Mayor Arnold indicated there is a request for the dedication of a tree in honor of James May. Mayor Arnold indicated it could be a tree or a bench. The historical Society is considering something and when they have more details they will bring it to council for approval. Ms. Weiner indicated she spoke with some members of the Historical Society and they were hoping that we would dedicate a tree in Grove Park. Mr. Yetter asked if both could be done. Mayor Arnold noted when the Historical Society gets back to us Council can decided how they wish to proceed.

Mr. Gural indicated we will be hiring a P/T Administrative Assistant for public works and the sewer departments. Mayor Arnold noted the advertisement is in your packets.

Mayor Arnold indicated we have a request to allow alcohol to be served on Sunday October 28th, 2018 beginning at 9:30 am.

Mr. Gural stated if the Ordinance is amended for this particular date it would benefit four businesses in our community. Ms. Weiner indicated it would also benefit the residents of Palmyra who wished to participate at that time. Mrs. Tait asked if this was only for that one day. Mr. Gural indicated yes. Mr. Howard indicated he was not in favor of it as he would like to wait and hear the results of the referendum. Ms. Weiner stated it's a special occasion, the Eagles playing in London and she would like to allow our residents to walk to an establishment and give Palmyra the business instead of them driving to Cinnaminson. Mrs. Tait asked if there was a certain period of time once an Ordinance is passed that we have to wait before the Ordinance becomes law. Mr. Gural indicated yes, however if you include a specific dated in the Ordinance that it becomes effective, then it becomes effective on that date.

Mayor Arnold asked for a motion to approve **Ordinance 2018-17**. An Ordinance Amending Chapter 70 Alcoholic Beverages Article V Hours Sections §70-6 and § 70-7, of the Code of the Borough of Palmyra Allowing Plenary Retail Consumption and Distribution Licenses to Sell and/or Serve Alcoholic Beverages During the Hours of 9:30 AM to 12:30 PM on Sunday October 28th, 2018

Mrs. Tait made a motion to approve **Ordinance 2018-17**. An Ordinance Amending Chapter 70 Alcoholic Beverages Article V Hours Sections §70-6 and § 70-7, of the Code of the Borough of Palmyra Allowing Plenary Retail Consumption and Distribution Licenses to Sell and/or Serve Alcoholic Beverages During the Hours of 9:30 AM to 12:30 PM on Sunday October 28th, 2018. President Russell 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

Ordinance 2018-17 passed on first hearing and will be heard for public hearing on October 15th, 2018

Old Business

Mayor Arnold noted we have already spoken about Grove Park/Band Shell Project and the 2018 Road Improvement Project for portions of Horace, 2nd, 3rd, 4th, 5th, Leconey, Maple Berkley, and Filmore & Orchard Aves/Sts.

Mayor Arnold indicated she would get additional information from Mr. Winckowski and get back to Council.

Mayor Arnold indicated we have already spoken about 400 Arch Street.

Mr. Gural noted we have discussion in closed regarding the Vacant/abandoned Property Ordinance.

Mr. Gural indicated the Community Planning Survey results are in however it will not be released to the public until the Land Use Board has had the opportunity to review it and determine what information in the survey, names and address should be disclosed to the public.

Mr. Gural stated the new Fire Truck will be here on Wednesday at 7:00 PM. Mr. Gural stated he authorized our Municipal Engineer, CME, to perform a structural inspection at the Fire House at our expense as the new fire truck weighs 5,000.00 lbs. more than the old fire truck and we want to make sure we don't have issues with the floor. Mr. Gural indicated he should have that report tomorrow. Mr. Gural also noted the Fire House has also accepted and authorized having their lot paved. Mr. Gural stated that we have not had any luck with GovDeals.com regarding selling the old fire truck so we wanted to list it on another site which specializes in fire apparatus, Brinkley Mountain Fire Apparatus and their website is firetruckmall.com. Mr. Gural is requesting a resolution to authorize us advertising on firetruckmall.com. Mr. Gural also noted the Fire Chief has also indicated they have a piece of steel from ground zero and they will be having a 9/11 service on Monday night October 8th, 2018 at 7:00pm at the fire house.

Mayor Arnold asked for a resolution 2018-241 authorizing the advertising of the old fire truck on the website firetruckmall.com.

President Russell made a motion to approve **Resolution 2018-241** Authorizing the old Fire Truck be listed with Brindle Mountain and advertised on their website, firetruckmall.com as the sale of property no longer needed for public use or disposed of as scrap. Mr. Yetter 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

Mr. Gural indicated the 93rd Annual New Jersey Shade Tree Federation Conference is being held soon and Mr. John Peitte will be attending. President Russell indicated she would be checking with the Shade Tree Commission to see if anyone else would be attending.

Mrs. Tait indicated a meeting was held with the Youth Athletic Organizations, Mr. Gural, Mrs. Sykes and the committee where information was exchanged and the expectations of everyone and what is expected of the Borough. Mrs. Tait and Mr. Howard indicated it was a good meeting and will get back to council with the ordinance changes. Mrs. Tait also noted the various organization were also told when the ordinance changes were ready for review they would be notified.

Mr. Yetter stated after some discussion among the Green Team members it was decided to eliminate the questions in question, removing the questions suggested by Mr. Rosenberg and proceed with the survey. Mr. Yetter and Ms. Weiner handed out the new survey. Mr. Yetter again indicated it is voluntary and any question you don't want to answer you don't have to. Mrs. Tait asked if we answer this the Green Team will get the points. Mr. Rosenberg indicated it only needs to be disseminated for the Green Team to get the points. Mr. Yetter indicated they will categorize the results and come to a conclusion. Mayor Arnold asked who the survey is going to be distributed to. Mr. Yetter indicated Borough Council, Land Use Board, the Board of Education, and the Community Center Program Board. Mayor Arnold indicated it is not supposed to go to elected officials only to those volunteer organizations. Ms. Weiner stated that being the case we can remove Borough Council, the Board of Education and add the War Memorial Committee. Mayor Arnold asked where the information regarding the Municipality is, as you need something to compare it to. After some additional discussion about the questions removed, the information regarding the Municipality it was approved for dissemination.

ADMINISTRATOR'S REPORT

Mr. Gural reminder all of the 2018 Stormwater Permit Compliance Training which must be completed during the month of October.

Mr. Gural indicated the anti-harassment training must be completed by everyone associated with the Borough to complete it, as it is required by JIF.

Mr. Gural stated PSE&G stopped in to let us know they would be conducting tree trimming on Broad Street.

Mr. Gural noted the grant which was authorized earlier tonight, just wanted you to be aware that we have request assistance from the Burlington County Bridge Commission to pay for the application processing fee of Mr. Gerkens. Mr. Gural indicated he is sure it will be approved.

COMMITTEE REPORTS

No committee reports were given

2nd PUBLIC COMMENT

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. Kelly –Highland Avenue – Mrs. Kelly thanked everyone for allowing the diversity survey. Mrs. Kelly noted that the Green Team is just trying to compare the proportions and the makeup of the various board and compare that to the community, for example a lack of younger members. Mrs. Kelly also noted the templet which the Green Team started with was downloaded from the Sustainable Jersey website and some things were modified. Mrs. Kelly noted the goal of the survey is to insure those serving on the boards accurately reflect the needs of the community. Once the survey is completed the Green Team will recommend strategies to the boards and council for taking diversity into consideration when making nominations to boards or committees. Ms. Kelly indicated she had copies of the community profile which she put together and would distribute them to council and the Mayor. Mayor Arnold indicated she looked forward to the study and working together with Mrs. Kelly.

Mr. Rader – Harbour Drive– Mr. Rader stated over many years there have been discussion about Main Harbour Drive. Mr. Rader indicated there are about 1000 homes which boarder Main Harbour Drive. There are four communities which utilize Main Harbour Drive to access Palmyra’s road system. Main Harbour Drive is also available for public use. Main Harbour Drive has no pedestrian crossings. Mr. Rader inquired if the local property tax went directly to Palmyra Borough. Mr. Gural indicated yes. Mr. Rader asked if there was any law or Ordinance which prohibited using those funds to construct pedestrian crossings on Main Harbour Drive, for pedestrian safety and speed control. Mayor Arnold stated the issues is the ownership of the road. The Borough of Palmyra does not own Main Harbour Drive it is privately owned. Mayor Arnold indicated it is a private road and we do not have to authority or jurisdiction to do anything to or on that road. Mr. Gural noted from the moment the property was purchased by the developer it was a private road on private property. Mr. Gural indicated the property owner should be putting in crosswalks and sidewalks etc. Mr. Gural indicated the Borough has tried to apply for grants to place sidewalks, crosswalks, but it would still be with the permission of the property owner. Mr. Gural noted we are currently applying again to DCA for the grant to do ADA compliance and sidewalks in the Harbour, we have been unsuccessful in the past but are trying again. President Russell asked what your condo fees use for. Mr. Rader explained. President Russell asked if that is not something which the condo fees and the condo association could address. Additional discussion was had

regarding ownership of the road, the condo association fees and use, the grant application currently being processed.

Mr. McElwee – Columbia Avenue – Mr. McElwee stated that if your name is on the memorial it is not necessary to fill out any other papers to receive your metal. Mr. McElwee stated the last student representative which Borough Council had was a young lady who indicated to him that if she hadn't been up here she would not have known anything when she went to Girl's or Boy's State. Mr. McElwee indicated they are juniors in high school when they go to these programs so he would suggest that juniors become the student reps to council. Mr. McElwee asked what the timeline was for Arch Street. Mr. Gural stated the order requires the property owner or lien holder to secure the property within 7 days of receiving the order and within 30 days the property owner or lien holder has to apply for permits and a significant amount of work has to be completed within 45 days of receiving the order, before the Borough can consider any further action.

Mr. Jamerson – Van Sant Drive – Mr. Jamerson indicated he was here regarding the Holiday Tree lighting and Santa Claus. Mr. Jamerson indicated he has been inquiring about this event since May and has visited the Borough leaving a message for the Mayor which apparently was not given to the Mayor but to someone else. Mr. Jamerson indicate he cannot do the date of December 7th, 2018 as he has another engagement. Mr. Jamerson indicated in all the years of being Santa for the Borough he has yet to receive a Thank-You note from the Borough. Mr. Jamerson indicated he has also taken money out of his pocket to help with this event as it is for the kids. Mr. Jamerson stated he is also against the Borough alcohol ordinance as a volunteer youth football coach which he has done for many years, he felt it was not very smart to open a bar just for a football game. Mr. Jamerson noted the monies he is paid to be Santa does not go into his pocket it goes to the children of Charles Street School. Mayor Arnold noted for the last two years money taken in via donations at the Tree lighting celebration was also given to Mr. Jamerson to distribute to the needy children at Charles Street School.

Mr. Quinn- Elm Terrace – Mr. Quinn stated he wanted to talk about having youth to the council and the process and civic education and understanding. Mr. Quinn indicated he has had the opportunity to speak with Mr. Allmond regarding it and they had the opportunity to compare notes. Mr. Quinn stated he wished to propose an identical idea to our council. Mr. Quinn indicated the kids in the community are our futures. Mr. Quinn indicated the recommendation was for the time period to overlap the school year. Mr. Quinn stated he was hoping to make a recommendation, not only for a program which he had in mind but, it would be for attendance of the youth not only during the school year but also during the calendar year. Mr. Quinn stated the added dimension which they could provide, helping us see things which we might not see as adults. Mr. Quinn also noted the student reps should only have access to what the public has access to. Mr. Allmond indicated it is for the full year. Mr. Quinn stated he had also hoped the grade school would also have some involvement. Mr. Quinn stated that he was hoping to adopt some sixth or seventh, eighth graders to also get them involved.

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.

Mrs. Tait stepped away from the dais at 9:33 PM

MAYOR AND COUNCIL COMMENTS

Brandon Allmond had no comment

Mrs. Tait returned to the dais at 9:38 PM

Gina Tait had no comment.

Mr. Howard had no comment

Lewis Yetter had a productive meeting and thanked all for coming out tonight. Mr. Yetter stated that if we pass this ordinance to have alcohol that one day, let's keep an eye on it and see how it turns out.

Ms. Weiner had no comment

President Russell thanked everyone for coming.

Mayor Arnold stated it was a great meeting and one of the outstanding features of Palmyra is our passion, everyone has an opinion and some are very strong. If we continue to have open dialogue and talk to one another, to share ideas and come up with a common solution then we all benefit. Mayor Arnold indicated she is looking forward to positive changes and more open dialog to come up with some other ideas to move Palmyra forward and benefit for everyone.

Mayor Arnold asked if there was something for closed session.

Mr. Rosenberg indicated he had one item which involved the litigation with Skyliner Homes. Mr. Gural stated he also had one additional matter involving litigation with Roto Cylinders.

Mayor Arnold asked for a motion to approve **Resolution 2018-242**. President Russell made a motion to approve Resolution 2018-242, Resolution Excluding the Public from Certain Meetings pursuant to section 89 of the Open Public Meeting Act C. 231 P.L. 1975 regarding **Litigation** . 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

Resolution 2018-242 is approved

Borough Council went into closed session at 10:04 PM

Closed Session

Borough Council returned from closed session at 10:34 PM

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

At the call of the roll, the vote was:

All voted in favor

Mayor Arnold asked for a motion to adjourn.

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

All voted in favor of the motion

Meeting was adjourned at 10:35 PM

Respectfully Submitted

Doretha R Jackson

Municipal Clerk