

**Borough of Palmyra**  
**Regular Council Meeting Minutes**  
**Monday, June 3<sup>rd</sup>, 2019**

**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 6:00 pm.

**ROLL CALL**

Present: Mr. Brandon Allmond, Mrs. Michelle McCann, Mrs. Gina Tait, Mindie Weiner, President Timothy Howard, Mayor Michelle Arnold

Absent: Mrs. Bernadette Russell

The pledge of Allegiance was recited followed by a moment of silence.

**OPEN PUBLIC MEETINGS STATEMENT**

The open public meeting statement was then read into the record by Mayor Arnold, Notice as follows: 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 11, 2019.
- Mailing written notice to the Burlington County Times, and the Courier Post Newspaper on January 11, 2019.
- Notice to All Council Members.

**APPROVAL OF MINUTES**

Mayor Arnold requested a motion for approval of the May 20<sup>th</sup>, 2019 Executive Session Meeting minutes:

Mrs. Tait made a motion to approve the May 20<sup>th</sup>, 2019 Executive Session Meeting Minutes. President Howard second the motion.

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

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

**NAYES: none**

**Absent: Mrs. Russell**

**CORRESPONDENCE**

Mayor Arnold acknowledged a letter of resignation received from Stephen J Wenger.

Noted the arrival of Bernadette Russell at 6:04 pm

Mayor Arnold read a letter received from Carrie Sargent, Urban & Community Forestry Coordinator.

Mayor Arnold read a letter received from Diane Gutierrez-Scaccetti, New Jersey Department of Transportation.

#### **PUBLIC PORTION**

Mayor Arnold asked for a motion to open the Public Portion. Mrs. Russell made a motion to open the public portion for comments. Mrs. Tait second the motion

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

No one from the public wishing to be heard, Mrs. Russell made a motion to close the public portion, Mrs. Tait second the motion.

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

#### **ORDINANCE ON FIRST READING – Public Hearing to be held July 15<sup>th</sup>, 2019.**

Ordinance 2019-06, An Ordinance of the Borough of Palmyra in the County of Burlington, New Jersey, Providing for Various Capital Improvements and related expenses in and for the Borough Appropriating 1,496,700.00 therefore authorizing the Issuance of \$1,387,000.00 in General Improvement Bonds or Notes of the Borough to Finance the same.

Mayor Arnold asked for a motion to approve Ordinance 2019-06. Mrs. Russell made a motion to approve Ordinance 2019-06. President Howard seconded the motion.

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

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

**NAYES: None**

Ordinance 2019-07, An Ordinance of the Borough of Palmyra, in the County of Burlington, New Jersey; Providing for Various Capital Improvements for the Borough's Sewer Utility, Appropriating \$132,500.00, Therefore Authorizing the Issuance of \$125,875.00 in Sewer Utility Bonds or Notes of the Borough to Finance the same.

Mayor Arnold asked for a motion to approve Ordinance 2019-05. Mrs. Tait made a motion to approve Ordinance 2019-07. Mrs. Russell seconded the motion.

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

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

**NAYES: None**

**ORDINANCE ON SECOND READING (Public Hearing).**

**Ordinance 2019-05**, An Ordinance Of The Borough of Palmyra to Provide for and Determine the Rates and Ranges of Compensation of Each Employee and Officer of the Borough of Palmyra for years 2019 and 2020. This Ordinance expires on December 31<sup>st</sup>, 2020 unless otherwise amended.

Mayor Arnold asked for a motion to open Ordinance 2019-05 for public hearing. Mrs. Russell made a motion to open Ordinance 2019-05 for public comments. Mrs. Tait second the motion

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

**Mr. Rader – Harbour Drive.** Mr. Rader asked if this ordinance gives the highs and lows of what each individual could be paid. Mr. Gural indicated that the ordinance indicates how much money a particular position can be paid, the high and low amounts of the position; the salary resolution indicates exactly how much money each individual is being paid as of April 1<sup>st</sup> on the given year. (a snapshot)

No one else wishing to be heard, Mrs. Russell made a motion to close the public hearing, Mrs. Tait second the motion.

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

Mayor Arnold asked for a motion to approve Ordinance 2019-05. Mrs. Russell made a motion to approve Ordinance 2019-05. President Howard seconded the motion.

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

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

**NAYES: None**

Ordinance 2019-05 was adopted

**RESOLUTIONS Consent Agenda**

Resolution **2019-151** to Resolution **2019-165** will be enacted as a single motion, if any resolution needs additional discussion it will be removed from the consent agenda and voted on separately.

Mayor Arnold asked if any items which needed to be removed from the consent agenda.

Borough Council indicated no.

**Resolution 2019-151**, Resolution Authorizing the Refund of Rental Inspection Fees Improperly charged to Dorett Hipplewith in the amount of \$250.00.

**Resolution 2019-152**, Resolution Authorizing the Finance Officer to Pay Vendor Bills During the Month of June 2019

**Resolution 2019-153**, Resolution Requesting Approval of item of Revenue and Appropriation N.J.S.A. 40A:4-87 (Chapter 159) 2019 Clean Communities Grant in the amount of \$17,125.92

**Resolution 2019-154**, Resolution Requesting Approval of item of Revenue and Appropriation N.J.S.A. 40A:4-87 (Chapter 159) Click It or Ticket 2019 Seat Belt Mobilization in the amount of \$5,500.00

**Resolution 2019-155**, Resolution Requesting Approval of item of Revenue and Appropriation N.J.S.A.

40A.4-87 (Chapter 159) Municipal Court Alcohol Education Rehabilitation and Enforcement Fund in the amount of \$643.00

**Resolution 2019-156**, Resolution Requesting Approval of item of Revenue and Appropriation N.J.S.A.

40A.4-87 (Chapter 159) Safe & Secure Communities Grant in the amount of \$39,485.00

**Resolution 2019-157**, Resolution Authorizing the 2019-2020 Liquor License Renewal for John P Grew, Inc. T/A Park Tavern Plenary Retail Consumption License #0327-33-006-004

**Resolution 2019-158**, Resolution Appointing Joseph Osinski as Part-Time Digital Evidence Technician for the Palmyra Police Department at the Rate of \$22.00 Per Hour not to exceed 28 Hours Per Week Effective July 1<sup>st</sup>, 2019

**Resolution 2019-159**, Resolution Authorizing Chief Pearlman to sign proposal with the Rodgers Group, LLC for Accreditation of the Palmyra Police Department per their attached proposal authorizing option 1 Accreditation Consultation Services Program at the cost of \$39,900.00 payable over 12 months.

**Resolution 2019-160**, Resolution of the Borough of Palmyra Establishing the Annual Rates of Compensation and/ or Hourly rates paid to Borough Employees

**Resolution 2019-161**, Resolution Awarding a Contract to Pioneer General Contracting Co., for 2019 Miscellaneous Concrete Construction Project per ERI's Recommendation of Award Letter Dated May 13<sup>th</sup>, 2019 in the amount of \$66,029.00

**Resolution 2019-162**, Resolution Authorizing the Mayor to Execute an Agreement between the Borough of Palmyra and the YMCA of Philadelphia and Freedom Valley for the 2019 Palmyra Summer Camp Program at the Palmyra Community Center

**Resolution 2019-163**, Resolution Authorizing the 2019-2020 Liquor License Renewal for Oberg LLC, T/A Curran's Irish Pub/5 West Plenary Retail Consumption License with Broad Package #0327-32-003-007

**Resolution 2019-164**, Resolution Authorizing the purchase of Dodge Durango Per Cranford CO-OP Contract #47-CPCPS From Carman Jeep in the amount of \$27,872.00

**Resolution 2019-165**, Resolution Authorizing the 2019-2020 Liquor License Renewal for DHAVAL Inc. T/A Palmyra Liquors Plenary Retail Distribution License #0327-44-004-005

Mayor Arnold asked for a motion to approve the consent agenda Resolutions 2019-151 thru Resolution 2019-165. Mrs. Russell made a motion to approve Resolutions 2019-151 thru Resolution 2019-165. Mrs. Tait seconded the motion.

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

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

**NAYES: None**

#### **COMMUNITY SPOTLIGHT**

Mayor Arnold stated the Special Olympics Torch would be held on June 7<sup>th</sup>, 2019.

Mayor Arnold noted the Independence Fire Company hosted its 2019 Golf Outing on July 22<sup>nd</sup>, 2019.

#### **PUBLIC REMINDERS**

Mayor Arnold stated the Public Works department is now open until 7:00 pm on Wednesday nights.

Ms. Weiner stated she would like to thank the War Memorial Committee for the great job they did with the Memorial Day Celebration.

## **DISCUSSION ITEMS**

### **NEW Business**

Mayor Arnold inquired how the Farmers Market guidelines were coming. Ms. Weiner indicated she would reach out to Mr. Gural and would write something up.

President Howard indicated some bands had been contacted for the Summer Concerts which will begin on July 16<sup>th</sup>, 2019. Mrs. Tait asked if the information could be posted on the website. Mr. Gural indicated yes. Mr. Tait indicated the first Tuesday night in August is National Night Out and "Friends Band" will be playing at the bandshell, which is not part of the Summer Concerts.

Mr. Allmond indicated the June/July edition of the Borough Newsletter is in your packets and anyone with information for the next newsletter can send it to him.

Mr. Rosenberg indicated the writ of execution in regards to Fillit Inc. was received today. He indicated the next step is to send it to the appropriate Sherriff for levy. Mr. Rosenberg noted he would keep the governing body aware as things proceed.

Mr. Gural indicated during the budget process proposed merit increases were mentioned however the discussion was postponed. Mr. Gural stated the only increases paid are the 2% across the board for all employees. Mr. Gural indicated it is time for that conversation. Ms. Weiner asked if that conversation would be had in committee. Mr. Gural indicated it could. Mayor Arnold clarified the conversation would be done in committee and then recommendations would be brought back to council for decision. Mr. Gural indicated there has been conversation amongst the staff regarding exchanging the Columbus Day Holiday with July 5<sup>th</sup>, 2019. Mr. Gural explained the staff would work on Columbus Day in October and be off on July 5<sup>th</sup>, 2019. Council agreed.

Mayor Arnold indicated she was proposing that June 21<sup>st</sup>, 2019 thru August 30<sup>th</sup>, 2019 the Borough Hall staff be allowed to work "Summer Hours". Mayor Arnold indicated those "Summer Hours" would be, Monday thru Thursday 8:00 am to 4:30 PM (Tax Office -Mondays until 6:30 pm) and Fridays 8:00 am to 2:00 pm. There was some discussion and council agreed.

Mr. Gural noted there were a number of grant opportunities available and some which we are considering were included in council's packet. Mr. Gural indicated he was still speaking with Mr. Kirchner and Mr. Gerkens and would get back to council with which ones we would pursue if any.

Ms. Weiner inquired if the Clean Community Grant was received every year. Mr. Gural indicated yes. Mr. Gural noted during the budget process we appropriated funding to lease two vehicles. Mr. Gural stated after conversations with both Chief Pearlman and Ms. Condo, instead of leasing two vehicles we decided to purchase one vehicle, which is the one council approved earlier tonight. Mr. Gural stated moving forward we are getting out of the lease vehicle business and purchase the vehicles we need. Mr. Gural noted that when vehicles are no longer needed we will sell them on Gov. Deals.

### **OLD Business**

Mr. Gural stated he, Mayor Arnold and Mr. Hogue participated in the meeting with NJDEP representatives regarding the redevelopment area and our concerns regarding meetings being held and

the Borough not being included. Mr. Gural indicated they went over the concerns of the Borough regarding our inability, at first, to attend that meeting with Soil Safe. Mr. Gural noted that assurances were given that any meeting the DEP is involved in regarding our redevelopment area, the Borough would absolutely be invited. Mr. Gural stated they could not indicated the same for the Attorney General's Office. Mr. Gural also noted that prior to the meeting we received from DEP the notes of Soil Safe regarding the meeting which Mr. Hogue was ultimately allowed to attend to represent the Borough. Mr. Hogue's also took notes, which he distributed to all 28 participants and the governing body which corrected some of the notes provided by soil safe.

Mr. Gural indicated that tomorrow we have a kick off meeting scheduled at 2:00 pm with P3 Jumbo Redeveloper and his team. Mr. Gural stated additional information will be given in closed session.

Mr. Gural stated that prior to signing the redevelopment agreement with Outlaw we adopted an Ordinance accepting the appraisal we received on that property. Mr. Gural indicated Mr. Brewer is now fully authorized to begin negotiations with the owner of the former PNC Bank.

Mr. Gural indicated the five Military Flags for Market Street have been ordered and we already have the smaller banners for Market Street. Mr. Gural indicated the total cost for the five banners and the brackets and installation of the banners on Market Street is \$3,270.00 which will come from the capital budget line outdoor displays.

Mayor Arnold indicated the form for purchasing an engraved paver for the Chief Payton I Flournoy Park will be on the website. Mayor Arnold noted as soon as we have a group of 50 the engraver can come out and do the first engraving. Mayor Arnold stated hopefully the first engraving can be done prior to the Park Dedication. Mayor Arnold stated we have two proposed dates for the dedication, June 27<sup>th</sup>, 2019 and July 11<sup>th</sup>, 2019 at 1:00 pm. Mayor Arnold indicated she had spoken with Chief Pearlman and they would like to give to police awards at the same time. There was discussion regarding the time, dates and ability of the public to attend. After a lengthy discussion Mayor Arnold stated she would return to the family and ask for other dates with the intention of having it at 6:00 or 7:00 pm on a Wednesday night. Mayor Arnold and Ms. Weiner will work together to put together a list of what things will be needed and forward to Mr. Gural who will disseminate it to the remainder of council. Mayor Arnold showed council the materials for and explained the idea for the bottom of the mural area on Tony's Barber shop. Mayor explained the color choices and the number of tiles on each of the three panels. Mayor Arnold indicated the plaques who have the name of the company and the year the business was established. There was discussion regarding the number of tiles, the durability of the product, the names to be placed on the tiles and the feelings of the barber shop owner. Mayor Arnold stated the cost is about \$4,572.00.

After some additional discussion President Howard made a motion to allow Mr. Gural and Mrs. Condo to find funding for phase II of the wall mural at Tony's Barber shop as described in an amount not to exceed \$4,700.00. Mrs. Tait second the motion.

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

Mr. Gural noted that if money was going to be accepted for the brick pavers then a motion was needed for direction as to where those funds should be deposited. Mayor Arnold indicated the funds should be deposited into the recreation trust fund and asked for a motion to set the fee and placement of the funds received for that project.

Mrs. Russell made a motion Resolution 2019-166. A Resolution authorizing a fee of \$50.00 per paver block purchased and engraved for the Chief Payton I Flournoy Park paving project and depositing funds received into the Recreation Trust Fund. Mrs. Tait second the motion.

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

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

**NAYES: None**

Mayor Arnold noted the Renaissance Insurance proposal will be discussed in closed session.

Mr. Gural stated during the committee meeting, he, Mayor Arnold, Mr. Allmond and President Howard with the Harbour Condo Association representatives discussed were the lights and equipment in the public works yard, and main Harbour Drive. Mr. Gural indicated they are working on correcting the problem at public works. Mrs. Tait stated again that she felt there was a conflict of interest with the Mayor serving on that committee representing the Borough, as her husband owns property in the Harbour. Mrs. Tait asked Mr. Rosenberg to look into that situation and to determine if it is a conflict. Mayor Arnold indicated there was no conflict. Mrs. Tait indicated council just wants to make sure the Borough is protected. Mrs. Tait indicated we have been dealing with a number of complaints and allegations which we sent to the Local Finance Board and have been waiting for their response however the Board of Realtors should also get a copy of those allegations and complaints. There was discussion regarding the Mayor's behavior and the complaints and allegations and whether they were confidential documents or not. Mrs. Tait indicated she would like to make them available to the public so they know what we are talking about. President Howard agreed. Mrs. Tait made a motion to have the information regarding the allegations and complaints made available to the public. President Howard second the motion. Mr. Rosenberg noted he was not in a position tonight to offer a legal opinion as to whether or not the governing body has the authority to release confidential investigation reports to the public by way of a motion/resolution. Mr. Rosenberg did however note that the governing body can direct Mr. Gural and or Mr. Rosenberg to disseminate that information to whomever they wish it to be sent to. Mrs. Tait withdrew her motion and President Howard withdrew his second of the previous mentioned motion. Mr. Gural stated all documents maintained by the Borough of Palmyra is subject to the custodian of the reports decision as to whether it can be released or not. Ms. Jackson the Municipal Clerk is responsible for answering all OPRA requests, she may seek advice from Mr. Rosenberg however the final decision is hers to make.

There was some additional discussion and Mrs. Tait make a motion for Mr. Gural and Mr. Rosenberg to send the packet of allegations, complaints and investigatory report of Mr. Dan Rosenberg to the State of New Jersey Board of Realtors. President Howard second the motion.

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

**AYES: Mrs. McCann, Mrs. Russell, Mrs. Tait, President Howard**

**NAYES: Mr. Allmond, Ms. Weiner**

Mrs. Tait also made a motion for Mr. Rosenberg to investigate and report back to the governing body, regarding the Mayor's ability to participate in matters concerning the Harbour is a conflict of interest due to her husband ownership of a unit in the Harbour. President Howard second the motion.

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

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

**NAYES: None**

Mr. Gural indicated the Chief of Police had the Downtown Parking questionnaire hand delivered to the business owners in town. It was done to determine the need for an exception to the no parking ordinance for employees. Mr. Gural indicated it can be sent to all property owners if council so desired.

#### **ADMINISTRATOR REPORT**

Mr. Gural indicated the Notice of intent to request release of funds you may see in the newspaper and it is requesting the release of grants funds approved, it's routine.

Mr. Gural indicated the NJ DEP Tree grant we will not be applying for as with additional review of the criteria we may not be eligible.

Mr. Gural noted we have not received many applications for the Public works seasonal positions however, interest has been expressed. President Howard asked if they were required to be 18 to work for public works. Mr. Gural indicated they should be and a driver's license is required.

Mr. Gural indicated the Technical Assistant position in the construction office did not receive any applicants with the qualifications which we were looking for so for the time being we are taking a step back and reevaluating the position.

Mr. Gural noted the Borough of Palmyra has not yet been declared a quarantined area, but that may occur in the future.

Mr. Gural indicated there was an overflow of the EQ tank at the sewer plant and some tools and equipment of the adjoining neighbor were destroyed in the overflow. Mr. Gural stated we are going to replace that equipment for the resident and it will cost about \$750.00.

Mr. Gural stated the five laptops for the community center are in and we are waiting for our IT person to come in and set them up for use. Mayor Arnold asked if procedures were in place for their use.

President Howard indicated there would be. Mr. Gural stated Ms. Jackson and Ms. Sykes are working on some guidelines for use of those computers.

Mr. Gural indicated he had spoken with Mr. McBride about some of the language in the final SRO agreement which was changed from the original agreement and is not acceptable. Mr. Gural stated they are currently working it out with Chief Pearlman and hope to have it at the next meeting for approval.

Mr. Gural stated the New Jersey League of Municipalities Annual Conference is being held November 19<sup>th</sup>, 2019 thru November 21<sup>st</sup>, 2019 in Atlantic City, anyone interest in attending should let Ms. Jackson know so accommodations can be made.

Mayor Arnold noted the on Wednesday June 5<sup>th</sup>, 2019, Rowan College will be hosting a seminar regarding resources for and growing your business from 9:00 to 11:00.



Mayor Arnold requested approval to apply for the National Foundation of Women's Legislators Conference. Mrs. Tait made a motion to allow Mayor Arnold to apply for the scholarship for the National Foundation of Women's Legislators. President Howard second the motion.

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

Mr. Allmond requested the Half Way to Success Seminars being held at RCBC on June 22<sup>nd</sup>, 2019 also be included on the website. Mr. Allmond indicated he would get the information to Mr. Gural.

## **PUBLIC PORTION**

Mayor Arnold asked for a motion to open the Public Portion. Mrs. Russell made a motion to open the public portion for comments. President Howard second the motion

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

**Mr. Rader – Harbour Drive** – Mr. Rader asked if the laptops for the community center are for exclusive on site use of Palmyra residents. Mr. Gural indicated on site only, yes. They was additional discussion regarding who can or cannot use those laptops. Mr. Gural indicated guidelines will be put in place prior to the use of those computers in the center.

**Mr. Adams – Temple Blvd.** – Mr. Adams indicated he attending the Memorial Day Service over the weekend at the War Memorial and it was very nice. Mr. Adams inquired if the trains could be stopped or quite during the time of the ceremony. Mr. Adams noted the price for the pavers has been set and asked when the forms would be available for those interested in purchasing memorial pavers. Mr. Gural indicated it will be on the website and in Borough hall in the next couple of days. Mr. Adams asked if a line item had been set up for the next fire truck purchase. Mayor Arnold indicated we cannot fund something which we are not purchasing. Mr. Gural explained further.

**Mr. McElwee- Columbia Avenue** – Mr. McElwee indicated he received a copy of the Sun newspaper today additionally he wanted to thank Bruce for his comments. Mr. McElwee thanked Ms. Weiner for her help with the ceremony and also thanked Jim for taking the pictures.

No one else from the public wishing to be heard, Mrs. Russell asked for a motion to close the public portion. Mrs. Tait second the motion.

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

Mayor Arnold asked if there was any business for executive session. Mr. Gural yes, a personnel matter, negotiation matter and litigation.

Mayor Arnold asked for a motion to approve **Resolution 2019-167**. President Russell made a motion to approve Resolution 2019-167, Resolution Excluding the Public from Certain Meetings pursuant to

section 89 of the Open Public Meeting Act C. 231 P.L. 1975 regarding Personnel, Potential Litigation, and Negotiations. President Howard second the motion.

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

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

**NAYES: None**

**Resolution 2019-167 is approved**

Borough Council went into closed session at 7:51 PM

**Closed Session**

Borough Council returned from closed session at 9:03 PM

Mrs. Tait made a motion to open to the public. President Howard second the motion.

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

Mrs. Russell made a motion to approve Resolutions 2019-168 Resolution Authorizing the Purchase of Life Insurance at the Value of One and One Half Times the Annual Salary of John Gural and Gregory Benson in an Insurance Amount not to exceed \$100,000.00 per the Proposal Submitted by Renaissance Family. President Howard seconded the motion.

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

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

**NAYES: None**

**Resolution 2019-168 Approved**

Mayor Arnold asked for a motion to adjourn.

President Howard made a motion to adjourn the meeting. Mrs. McCann second the motion.

**All voted in favor of the motion**

Meeting adjourned at 8:32 PM

Respectfully Submitted,

Doretha R Jackson, RMC