

Borough of Palmyra
Regular Council Meeting Minutes
Monday, September 16th, 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 7:02 pm.

ROLL CALL

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

Absent: Ms. Mindie Weiner

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.

INVOCATION

Prayer was given by Ella Graham, Palmyra Police Chaplin. Chaplin Graham stated the first anniversary of Converge Church will be celebrated this Sunday September 22nd, 2019 at 10:00 am., all are welcomed.

APPROVAL OF MINUTES

Mayor Arnold requested a motion for approval of the August 19th, 2019 Regular Council Meeting minutes.

Mrs. Tait made a motion to approve the Regular Council Meeting Minutes from August 19th, 2019. President Howard second the motion.

At the call of the roll the vote was.

AYES: Mr. Allmond, Mrs. McCann, Mrs. Tait

NAYES: none

Abstain: Mrs. Russell, President Howard

Mayor Arnold requested a motion for approval of the August 19th, 2019 Executive Session Meeting minutes.

Mrs. Russell made a motion to approve the Executive Session Meeting Minutes from August 19th, 2019.

Mrs. Tait second the motion.

At the call of the roll the vote was.

AYES: Mr. Allmond, Mrs. McCann, Mrs. Tait

NAYES: none

Abstain: Mrs. Russell, President Howard

CORRESPONDENCE

Mayor Arnold acknowledged the following correspondence.

Letter from Balvir Singh, Freeholder Deputy Director

Email received from Renee Cappetta

Invitation from Elaine Mendelow for the Water Festival at Palmyra Nature Cove.

Email from Cathy Fletcher, AmeriCorps, Habitat for Humanity – Neighborhood Revitalization Program

Email from, NJ State Council on the Arts

PROFESSIONAL UPDATES

William Kirchner, ERI – Mr. Kirchner indicated they put together a cost estimate for the Burlington County recreation grant for the War Memorial Park renovations. Mr. Kirchner indicated the grant application is due October 1st, 2019.

Mr. Kirchner indicated he was here to update council regarding the ongoing issues at the sewer plant.

Mr. Kirchner stated everyone remembers in April we had issues at the sewer plant with some equipment which we could not service because we could not isolate it to repair it. Mr. Kirchner stated we went forward to bypass certain things and to cut into valves to get equipment taken off and repaired. When this was attempted we found another value was broken so they had to cut in another valve while the line was live. Mr. Kirchner indicated that valve did not completely shut off the flow so they had to cut in another valve to the line they were trying to repair. When all that was completed they replaced the cutters and all was functioning properly however noted that another valve was seized. Mr. Kirchner indicated the plant is running and anything that is critical has been replaced and is new. Mr. Kirchner indicated there are four valves that need to be addressed, however he believes we can make it thru the remainder of this year. Mr. Kirchner indicated with these extraordinary repairs, we included price quotes in our maintenance contract so we can get the most competitive pricing for the job. There was some additional discussion regarding the valve repairs and pricing. President Howard asked if there was any information regarding the water table and meters. Mr. Kirchner indicated we are continuing to monitor them and report back to the borough usually at the end on month. Mr. Kirchner noted the water table had drop about 6 to 9 inches the last time they monitored it.

Andrew Brewer, indicated what he needed to discuss should be in executive session.

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

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

All members present voted in favor of the motion.

Mayor Arnold asked for a motion to approve **Resolution 2019–207**. Mrs. Russell made a motion to approve Resolution 2019–207, Resolution Excluding the Public from Certain Meetings pursuant to section 89 of the Open Public Meeting Act C. 231 P.L. 1975 regarding **Contracts/ Negotiations**. President Howard second the motion.

At the call of the roll, the vote was:

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

NAYES: None

Borough Council went into closed session at 7:24 pm

Borough Council returned from closed session at 7:48 PM

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

At the call of the roll, the vote was:

All voted in favor

ORDINANCE ON SECOND READING – Public Hearing

Ordinance 2019–08, An Ordinance of the Borough of Palmyra in the County of Burlington, State of New Jersey, Amending Chapter 158, Article X of the Code of the Borough of Palmyra Regarding Signs.

PUBLIC HEARING

Mrs. Russell explained the changes being made to the sign ordinance and clarified some questions previously asked. There was some additional discussion regarding to period of time for temporary signs. Mayor Arnold asked for a motion to open the Public Hearing. Mrs. Russell made a motion to open the public hearing 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, President Howard second the motion.

All members present voted in favor of the motion.

Mayor Arnold asked for a motion to approve Ordinance 2019–08. President Russell made a motion to approve Ordinance 2019–08. President Howard seconded the motion.

At the call of the roll, the vote was:

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

NAYES: None

Ordinance 2019-09, An Ordinance of the Borough of Palmyra in the County of Burlington, State of New Jersey, Amending Chapter 195, of the Code of the Borough of Palmyra.

PUBLIC HEARING

Mr. Gural indicated there were material changes which needed to be made to the ordinance at the request of the Bridge Commission. Mayor Arnold withdrew Ordinance 2019-09 at the request of Mr. Gural.

Mayor Arnold asked for a motion to introduce and approve **Ordinance 2019-10**. An Ordinance of the Borough of Palmyra in the County of Burlington, State of New Jersey, Amending Chapter 195 of the Code of the Borough of Palmyra Regarding the Operation of Businesses within the Borough President Russell made a motion to approve Ordinance 2019-10 as read. President Howard seconded the motion.

At the call of the roll, the vote was:

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

NAYES: None

RESOLUTIONS Consent Agenda

Resolution **2019-208** to Resolution **2019-218** 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. There were no items to be removed.

Resolution 2019-208, Resolution Authorizing the Cancellation of Taxes for a Totally Disabled Veteran Located at 601 Washington Avenue, Block 23 Lot 1 Partial Tax Year beginning August 8th, 2019

Resolution 2019-209, Resolution Authorizing the cancellation of certain Reserves Identified in the 2018 Audit in the amount of \$3,064.60

Resolution 2019-210, Resolution Approving the Request for Release of Performance Bond Guarantee for Wawa, Inc.- Trash Enclosure Improvements at Store #460 Block 26, Lots 10,11,11.02, 600 Cinnaminson Avenue per recommendation of Borough Engineer.

Resolution 2019-211, Resolution Authorizing the Award of a Contract to Axon Enterprise, Inc. Per the Quote in the Amount of \$19,811.70, a Capital Purchase exceeding \$15,000.00, for Equipment for the Palmyra Police Department

Resolution 2019-212, Resolution Appointing Danielle Lippincott as Tax Search Officer for the Borough of Palmyra

Resolution 2019-213, Resolution Appointing Helen Dixon as a Substitute Crossing Guard for the Borough of Palmyra Effective September 16th, 2019

Resolution 2019-214, Resolution Authorizing Borough of Palmyra to Become a Member of the Burlington County Coastal Communities Coalition.

Resolution 2019-215, Resolution Authorizing the Mayor to apply to the County of Burlington for Municipal Park Development Program Funds and to sign and execute any required documents, agreements thereto with the County of Burlington for approved funds.

Resolution 2019-216, Resolution Authorizing the Land Use Board of the Borough of Palmyra to Undertake a Preliminary Investigation as to Whether the Property Commonly known as Block 80 Lot 6 is an Area in Need of Redevelopment in Accordance with the Procedures of the Local Redevelopment and Housing Law, and to Provide Recommendations to the Mayor and Council of the Borough of Palmyra thereon.

Resolution 2019-217, Resolution Authorizing the Award of a Contract to Advanced Electronic Design, Patrol PC per the Attached Quote in the Amount of \$25,648.75 for a Capital Purchase in an Amount Exceeding \$15,000.00 for 5 Patrol PC Rhino Tab in-car Computers.

Resolution 2019-218, Resolution Authorizing the Payment of Bills for the Month of September 2019 In the Amount of \$1,863,472.51

Mayor Arnold asked for a motion to approve the consent agenda Resolution 2019-208 thru Resolution 2019-218. Mrs. Russell made a motion to approve Resolution 2019-208 thru Resolution 2019-218. Mrs. Tait seconded the motion.

At the call of the roll, the vote was:

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

NAYES: None

MOTION TO APPROVE TREASURER'S REPORTS

Mrs. Russell made a motion to approve the Treasurer's Report for August 2019. President Howard second the motion.

At the call of the roll:

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

NAYES: None

COMMUNITY SPOTLIGHT

Mayor Arnold noted the dedication of Chief Payton I Flournoy, Sr. Park was spectacular everyone indicated how nice it was. Mayor Arnold then presented the banner from the park dedication to the family of Chief Flournoy. Ms. Celeste Flournoy thanked everyone and the Borough for all that was done and indicated how truly wonderful the entire day was.

Mayor Arnold stated the Town Wide Yard Sale was held this past Saturday with over 100 households participating. Mayor Arnold read an email received from Mrs. MacAfee regarding a lemonade stand he set up during the yard sale where he raised over \$130.00 to donate to "PAWS".

Mayor Arnold indicated the Bread of Life Block Party Celebration was held yesterday and was very well attended.

Mayor Arnold noted the 2nd Annual Pancake Breakfast at Sacred Heart Church will be held on September 22nd, 2019 from 8:30 am to 12:30 pm.

The Strides against Sepsis Walk will be held on September 28th, 2019 at the Legion Field sign up begins at 7:30 AM.

The Independence Fire Company will be hosting a "Craft Beer Fest" from 1:00 pm to 5:00 pm on October 5th, 2019 at the Fire House.

Mrs. Russell noted PHSFEE's "Casino Night will be held on October 5th, 2019 also.

Mrs. Russell stated the PIA Porch Fest was held on Saturday and was a great success.

Mrs. McCann stated "Back to School Night" will be held on Wednesday for Middle School and at Charles Street on Thursday.

PUBLIC REMINDERS

Mayor Arnold asked everyone to be aware of Crosswalk Safety. Mayor noted you cannot park within 50 feet of stop sign, within 10 feet of a fire hydrant, within 20 feet of the driveway entrance of a fire station, or on a crosswalk. Mrs. Tait asked if that could be the, did you know.... for this week.

DISCUSSION ITEMS

NEW Business

Mayor Arnold noted the Farmers Market would be returning on September 19th, 2019.

Mr. Gural indicated Mr. Gerken filed our application for the Opportunity Zone Challenge Program Grant.

Mr. Gural indicated the Snow removal and salting/brining request from Riverfront needed to be discussed in closed session.

Mayor Arnold noted the open Electrical Sub-Code Official position in the Borough. Mr. Gural noted we are currently working with other municipalities sub-code officials until we get someone hired.

Mr. Gural stated Danielle Lippincott, our Tax Collector has request to attend the Tax Collector's meeting at Tropicana Hotel during the NJLM Conference. The request is for two nights stay at the hotel for \$117.00 per night. Borough Council agreed.

Mr. Gural indicated some Maple tree Saplings were to be donated to the Borough by a resident of the Borough. Mr. Gural indicated he would speak to Mr. McGill to see if they arrived and would get back to council.

Mr. Rosenberg stated the Borough was named in a motion in the Matter of the Estate of Thomas J.

Kelleher, Mr. Rosenberg noted in his opinion the Borough does not need to take any position currently.

Mr. Gural stated any comment posted on any Facebook page or on any other social media by a Borough Official or an employee, regarding the Borough, becomes an OPRAable document. Mr. Gural indicated a screen shot of the comment is needed and have it available for OPRA requests. If requested it has to be produced.

Mr. Gural indicated on our Facebook page we either have to allow all comments or prohibit all comments. Mr. Gural indicated we will be hiding all comments as we can no longer pick which to hide or show. Mr. Gural noted if Borough Council felt differently then we need a policy from the governing body indicating how they wished to handle comments. Mr. Rosenberg will work on a disclaimer for the website and our Facebook Pages.

Mr. Gural indicated Marie and Mayor Arnold will be attending the Transform South Jersey Community Heart & Soul Workshop on September 20th 9-12 pm. Mrs. Russell indicated the need for five people to attend. Mr. Gural noted there were several sessions. And the information was contained in council's packet.

Mr. Gural stated we are all signed up for the Downtown New Jersey program.

Mr. Gural indicated he will be having a meeting with Public Works staff regarding their work hours.

Mr. Rosenberg stated we received a request for the Borough to sign off on an Affidavit of consideration for use by seller and seller's residency certification exemption forms. Mr. Rosenberg indicated the property noted was sold to Devece & Schaffer by deed in 1980, however the deed was never recorded at the County. Mr. Rosenberg indicated he would like to see how the sale was completed and how it was authorized for sale. Mr. Rosenberg indicated he would like to find out from the tax collector who has been paying taxes on the property over the last 40 years. Mr. Rosenberg indicated he would like to hold this until more information can be obtained. There was some additional discussion and council agreed we would wait for additional information.

Mr. Gural indicated the Gmax text was completed on the soccer field for concussion prevention. The test indicates the field is passing, however there are two areas which need some extensive work. Mr. Gural noted those replacements could cost upwards of six figures. Mr. Gural indicated those replacements will have to be done from the capital budget next year. Mr. Rosenberg inquired about the class action law suit that was pending. Mr. Gural indicated he did not know. Mr. Rosenberg asked if JIF will make us make the repairs. Mr. Gural indicated it should be done for the safety of our children. Mr. Gural explained the need for security deposits for Borough Facilities Usage (Parks and Fields) Mr. Gural indicated we currently charge security deposits in the community center, however not on the fields, concession stand, or band shell. Mr. Gural noted this must be taken into consideration with the changes to the parks usage ordinance. President Howard indicated they would address it their discussions regarding the field usage policy and would hope to have something to council for their consideration by years end and they would like for it to be in place in the New Year.

Old Business

Mayor Arnold indicated she is working with Tony's Barber Shop regarding the mural and gathering information from the businesses.

Mr. Gural indicated we should have the landscaping proposal for the intersections from ERI by the next meeting.

Mayor Arnold indicated she had no additional information regarding the Burlington County - Residential Energy Aggregation Program. Mayor Arnold indicated she would find out and get back to council. Mrs. Tait asked why it is different than last time.

Mr. Gural indicated a meeting is scheduled for this Friday regarding the downtown parking and parking lot.

Mr. Gural and council discussed the water coolers proposal for the four locations, Boro hall, public works, police station and community center. Mr. Gural explained the unit types and installation. Mr. Gural indicated the company will be doing a pre-installation visit soon. Mrs. McCann asked if that meant we would not be ordering water bottles anymore. Mr. Gural indicated we will still order some but we are hoping to drastically reduce the amount.

Mayor Arnold stated how nice the new banners look on Broad Street. Mayor indicated what she would like to do with the old banners is identify them as surplus and either give them away or sell them.

Mr. Gural noted we will have a resolution for that at the next meeting.

Mr. Gural indicated the only decoration we have are the snowflakes. The old decorations that were along the railroad are gone. Mr. Gural stated if council wished to do something now is the time. Mrs. Russell indicated we need to look at the lighting on Borough Hall, it needs to be replaced.

ADMINISTRATOR'S REPORT

Mr. Gural indicated the efforts of Stock Development Group far exceeded anything that has been done in the past. Mr. Gural indicated Mr. Stock and one of his engineering firms met with Mr. Kirchner today to review the capacities and technical requirements for sewer capacity plant and other utilities. Mr. Gural noted they also completed a drone fly over of all of the properties for elevation plans. Mr. Gural indicated they are working on fixing the letter in intent with the DEP which identified the wetland delineation on the property. Mr. Gural indicated they have created a secure website so that documents can be transferred back and forth, they have spent a lot of money and they are not done.

Mr. Gural indicated the 620-622 Highland Ave Redevelopment Project has been discussed.

Mr. Gural stated he would let council know when the next issue of Did You Know is available.

Mr. Gural indicated the Practices Inventory for 2019 is due by October 30th, 2019, he indicated Ms. Condo is currently working on it and it is almost complete. Mr. Gural indicated it has 53 questions this year.

Mr. Gural stated the JIF Elected Officials Liability Seminar will be on Thursday, December 5th at O'Connor's, he noted it is normally in March but the next session held in March is being held in Vineland.

Mr. Gural stated all those who are attending the 2019 Brownfields Training Conference please get the additional information requested to Ms. Condo.

Mr. Gural stated Mr. Roun's, who has been rice noticed and requested open session conversation, last day of employment is September 26th, 2019. Mr. Gural noted due to HIPPA requirements the details cannot be discussed. Mr. Rosenberg agreed.

Mayor Arnold stated she spoke with the pharmacist at Palmyra Pharmacy and he indicated that if you do not have the proper disposal can for syringes you can place them in closed plastic bottles which can then be placed in the regular trash for disposal.

Mayor Arnold indicated she will be looking into pricing for a banner backdrop system for the Bandshell.

COMMITTEE REPORTS

Mrs. Russell – Construction- Shade Tree Liaison – Mrs. Russell indicated the things regarding her committee have already been covered. Mrs. Russell indicated everyone participated in the dedication of the Chief Payton I Flournoy Park and it was a wonderful event.

Mr. Allmond –Communications and Public Relations Committee- Mr. Allmond indicated he will be sending out emails later this week soliciting information for the next edition of the Borough Newsletter.

Mrs. Tait – Public Safety Committee, Board of Education, Public Events- Mrs. Tait stated, she and the public safety committee will be meeting next week.

Mrs. McCann – Administration and Finance- Ms. McCann stated the Admin and Finance committee will be meeting in the next few weeks.

President Howard – Youth and Recreation, Public Building, Grounds and Parks, Public Works & Sewer–

President Howard indicated we have already covered the field/ concussion report and noted his committee will be meeting next week.

Mayor Arnold stated the policy regarding the use of our parks and recreation areas needs to be looked over again. Mayor Arnold indicated there was an event over the weekend, a very nice event, however the park was not cleaned up, the trash cans were overflowing and trash was left on the ground. Mayor Arnold stated in the trash was empty beer cans and noted, no alcoholic beverages are permitted in Borough Parks. Mayor Arnold stated it is the responsibility of the users to make sure the park is put back the way they found it, so others can enjoy it also. Mayor Arnold stated she received complaints from some who attended the event that there was drinking in the park during the concert. Mrs. Russell inquired if those issues were not addressed in the usage form. Mr. Gural indicated not currently as there is no means to make the responsible party come back and clean it up, we have no security deposit to utilize so all we can do is call public works to clean it up. Mayor Arnold noted there are comments which address behavior in Borough parks in our code under chapter 190-6. President Howard indicated his committee will look at it and get back to council.

Mayor Arnold stated Mrs. Tait and President Howard participated in the Brownfields Conference in Chicago and have signed up for the conference in Los Angeles in December. Mayor Arnold stated she did not see the need for both of them to attend this conference as the information from the Chicago conference was not shared. President Howard indicated information was shared at our meetings and pamphlets were brought back and disseminated to the governing body. There was additional discussion regarding who should attend and the length of time since the last conference, additional information being forwarded to the governing body and the changing redevelopment environment.

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. Wright – Washington Avenue– Mr. Wright indicated he was here to speak about a code of the Borough of Palmyra, 158-108 regarding Trailers, campers and boats. He stated he understood, not being able to live in the trailer or conduct business out of it or have it in your front yard but he did not understand why trailers that are 21 ft. or more in length could only be parked on the property in the confines of a building only. Mr. Wright indicated he owned one in the past and would like to buy another but this code gives him pause. Mr. Wright indicated the code has been around for some time and he feels it is outdated, noting the code enforcement officer informed him of this rule. Mr. Wright indicated he had spoken with other close municipalities and they indicated they have nothing of this sort on their books. He asked if council would take a change into consideration and how the process goes to change it. Mr. Wright noted a motor home can be 45ft or over. There was some discussion and Mrs. Russell indicated she would have her committee look into it.

Mr. Cantor – Washington Avenue – Mr. Cantor noted the tax collector should send out bills before sending delinquent notices. Mr. Cantor also thinks the ordinance regarding trailers and camper needs to be changed. He noted he holds nothing against the code enforcement office as he is doing his job. He noted the code indicated you can't put a fence in front of the trailer if parked in your yard, but the barrier needs to be live trees. How can you drive thru live trees? A suggestion was to put them in pots and roll them out of the way. The ordinance needs a change.

Mrs. Furrer- Harbor Drive – Mrs. Furrer stated as you move forward discussing changes to the parking ordinance of the Borough of Palmyra, keep in mind that there is no real handicap parking on Broad Street and Cinnaminson Avenue. Mrs. Furrer noted if the committee needed any information, she has contacts in Trenton. Mrs. Furrer also noted that she believes that snow needs to be removed for people with disabilities so that they are able to move about the town.

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

All members present voted in favor of the motion.

Ms. Robinson- PHS Student Representative – Ms. Robinson stated school has started and fall sports are in full swing. The girl's team just beat Riverside 7-0. Mrs. Robinson indicated the football team has already had two games. Mrs. Robinson noted "Back to School Night" is coming on Tuesday and Wednesday and the first student council meeting of the year was held and they have been looking for interested students to replace them next school and to determine what can be done with this connection between the Borough of Palmyra and the Palmyra High School student body.

Mayor Arnold asked if there was any additional business for executive session. Mr. Gural indicated yes regarding Negotiations, Unfair Labor practices

Mayor Arnold asked for a motion to approve **Resolution 2019-219**. Mrs. Russell made a motion to approve Resolution 2019-219, Resolution Excluding the Public from Certain Meetings pursuant to section 89 of the Open Public Meeting Act C. 231 P.L. 1975 regarding Negotiations, Labor Practices. President Howard second the motion.

At the call of the roll, the vote was:

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

NAYES: None

Resolution 2019-219 was approved

Borough Council went into closed session at 9:18 PM

Closed Session

Borough Council returned from closed session at 9:41 PM

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

All voted in favor of the motion.

Mayor Arnold asked for a motion to adjourn.

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

All voted in favor of the motion

Meeting adjourned at 9:42 PM

Respectfully Submitted,

Doretha R Jackson

Doretha R Jackson, RMC