

Borough of Palmyra
Virtual Regular Council Meeting, 6:30 PM
Monday August 16th, 2021

The Regular Council Meeting of the Borough Council of the Borough of Palmyra was called to order by Mayor Tait at 6:30 PM

ROLL CALL

At the call of the roll:

PRESENT: Mr. Brandon Allmond, Mrs. Farrah Jenkins, Mrs. Michelle McCann, Mrs. Bernadette Russell, President Timothy Howard, Mayor Gina Ragomo Tait

ABSENT: Dr. Laura Cloud

The pledge of Allegiance was recited.

OPEN PUBLIC MEETINGS STATEMENT

Mayor Tait Read the following statement into the record:

In accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., and in consideration of Executive Order No. 103, issued by Governor Murphy on March 9, 2020, declaring a State of Emergency and a Public Health Emergency in the State of New Jersey. Please be advised the Borough of Palmyra does hereby notify the public that to protect the health, safety and welfare of our citizens, and to reduce the potential spread of COVID-19 and its variants, while ensuring the continued functioning of government, the meeting of the Mayor and Council will be conducted as a Virtual Council Meeting. Members of the public are invited to “attend” the Council Meeting “Virtually” (via computer or phone) but all members of the public participating in the meeting virtually may be muted and their video image disabled. Notice of this meeting was published in the Burlington County Times on January 12th, 2021. Notice was posted on the Municipal Door, Official Bulletin Board and electronic signs on August 11, 2021. Notice was also posted on the Borough of Palmyra Website on August 13th, 2021 and notice was given to all Council Members.

APPROVAL OF MINUTES

Mayor Tait requested a motion for approval of the August 2nd, 2021, Council Caucus Meeting Minutes Mrs. Russell made a motion to approve the Council Caucus Meeting Minutes from August 2nd, 2021. President Howard second the motion.

At the call of the roll the vote was:

INFAVOR: Mr. Allmond, Mrs. Jenkins, Mrs. Russell, President Howard

AGAINST: None

ABSTAIN: Mrs. McCann

Motion Carried

Dr. Laura Cloud joined the meeting at 6:34 pm

CORRESPONDENCE

Municipal Clerk, Ms. Jackson acknowledged the following correspondence received:

Letter- Robert J Benco, Jr, Assistant Director-Division of Revenue & Enterprise Services-RMS

Letter- Assemblywoman Carol A Murphy. 7th Legislative District- NJ General Assembly

REDEVELOPMENT

Rt. 73 South Redevelopment Area- Update

Mr. Gural stated the site work is ongoing and the importation of dredge materials from the Cinnaminson CDF is ongoing and soon they will be moving the Palmyra CDF material onto the site. Mr. Gural indicated the affordable housing pilot and the revised pilot for the second warehouse are currently being worked on and will hopefully be ready for the September 20th, meeting. Mr. Gural stated we have received some concerns from residents regarding the site clearing at the project. Mr. Gural noted that some residents believe they are clearing the Palmyra Cove Nature Park. Mr. Gural stated the redeveloper is not removing or destroying anything on the Palmyra Cove Nature Park property.

Outlaw Training & Fitness/620-622 Highland Ave Redevelopment Project – Update

Mr. Brewer indicated the court adjourned the scheduled court date, August 16th, 2021, for the valuation of the property, to a future date to be determined at their choosing.

Sea Box/ELM Office LLC, 321 E. Broad Street - Former Knights of Columbus Property- Update

Mr. Gural indicated that Ms. Kilmer received an inquiry from the owner of the property regarding an addition for the property. Ms. Kilmer indicated it would be necessary for them to go before the Land Use Board with that request. Mr. Gural stated that they would also need to have a conversation with the governing body as the property has been deemed an area in need of redevelopment.

PROFESSIONAL UPDATES

William Kirchner, ERI

Mr. Kirchner indicated that Temple Blvd should have noticed an uptick in the work being completed as they have been put on notice regarding liquated damages regarding performance on the project and the time to complete the project. Mr. Kirchner noted that notices have gone out to residents on 5th and Race Streets as the contractor has also begun that project, which should be completed by September 3rd, 2021, and if they go beyond that, liquated damages may also be sought. Mr. Kirchner indicated the 2021 Road program should begin around the 30th of August. Mr. Kirchner stated we have received a review letter from the State regarding the TAP grant for Temple Blvd and Firth Lane intersection. Mr.

Kirchner indicated we responded to their questions and hopefully we will hear something back from them soon so we can get the project out for bid. Mr. Kirchner addressed the resolutions on the agenda for approval noting resolution 2021-173, a contract for design of Berkley Avenue Pump Station and resolution 2021-174 awarding a contract to Command Co, Inc for the Veteran's Memorial Park renovation project. Mr. Kirchner also note Mr. Gural will be asking for a liaison from the governing body to help with so of the design elements for the TAP grant for the "Rain Garden".

PUBLIC COMMENT

We requested those participants wishing to have or make a Public comment, email their questions or comments in advance to Municipal Clerk Rita Jackson at djackson@boroughofpalmyra.com. The opportunity to submit comments prior to meeting expired at 12:00 PM on Monday August 16th, 2021. All comments will become part of the record and included with the Meeting Minutes. For those who "attended" the hybrid meeting, Mayor Tait opened the meeting to the public for comments. All comments are part of the record and are included with the Meeting Minutes.

Mayor Tait asked for a motion to open to the Public for comments.

President Howard made a motion to open the public portion for comments. Dr. Cloud second the motion.

All members present voted in favor of the motion. Motion Carried

Mayor Tait asked if any comments were received before the meeting.

Municipal Clerk, Ms. Jackson indicated one comment was received from Mr. Schmidt from Temple Blvd. Mr. Schmidt's comment is as follows:

Good day. As the fall approaches and Temple Blvd. is only 1/3 done will this project be completed before winter? Why are the work crews only here 2 to 3 days a week? The original scope of the project was 120 days we are now past that and nowhere near completed why? This project was too big for the company you chose to do it and they were not the lowest bid why were they given the job? These issues speak poorly to whomever oversees this project who is he? and are you holding him accountable? Lastly is there are liquidated damages in our contract with Think Pavers?

Thank You, Mr. Schmidt

Mr. Kirchner indicated Think Pavers was the lowest bidder for the job and state contract law indicates the lowest bidder must be accepted if they qualify and meet all requirements, which they did. Mr. Kirchner noted the contractor has been put on notice regarding the liquated damages. Mr. Kirchner indicated they are hoping to have that portion of the project complete by Labor Day.

Mayor Tait asked if there were any comments from those present.

Ms. Still – Veterans Drive – Ms. Still stated she has owned her home on Veterans Drive for over 30 years, she noted she has attended the last three council meetings and was the public information officer for the Palmyra School District in 2017 and attended some meeting during that time. Ms. Still stated that she felt people stopped attending meetings due to the prior Major’s and Council’s conduct during those meetings. Ms. Still asked why the Administrator’s position is not an elected position? Mrs. Still asked why the meetings aren’t being put up for the public to see right away and can she post the meeting recordings that she has on social media. Ms. Still asked what happened to the ethic investigation which was brought against the former Mayor Michele Arnold. Ms. Jackson indicated that the minutes from each meeting are posted on the website after approval by the governing body, give or take a few days after approval. Ms. Jackson noted that prior to the pandemic and the use of the zoom platform to hold meetings, there was no video of any Borough Council meetings and nothing was posted on the website. Ms. Jackson noted that meetings are not required to be posted on the website. Mr. Rosenberg indicated he saw no impediment to Ms. Still if she obtains a copy of the meeting and utilizing it in such manner as she pleases.

No one else from the public wishing to be heard, Mayor Tait asked for a motion to close the Public Portion. Mrs. Russell made a motion to close the public portion, President Howard second the motion. **All members present voted in favor of the motion. Motion Carried**

ORDINANCES ON SECOND READING public hearing

Ordinance 2021-09, An Ordinance of the Borough of Palmyra, County of Burlington, State of New Jersey Amending Chapter 215 of the code of the Borough of Palmyra Entitled “Sewers”

Mayor Tait asked for a motion to open Ordinance 2021-09 for public hearing. Mrs. Russell made a motion to open Ordinance 2021-09 for public comments. President Howard second the motion

All members present voted in favor of the motion.

Mayor Tait indicated it is eliminating the sewer rates from churches. Mr. Gural stated the ordinance change eliminates the commercial base fee rates from churches.

Seeing no additional comments Mayor Tait requested a motion to close the public portion for hearing of Ordinance 2021-09. Mrs. Russell made a motion to close the public hearing of Ordinance 2021-09. President Howard second the motion.

All members present voted in favor of the motion.

Mayor Tait requested of motion to approve Ordinance 2021-09. Mrs. Russell made a motion to approve Ordinance 2021-09. President Howard seconded the motion.

At the call of the roll, the vote was:

INFAVOR: Mr. Allmond, Dr. Cloud, Mrs. Jenkins, Mrs. McCann, Mrs. Russell, President Howard

AGAINST: None

Motion carried. Ordinance 2021-09 was approved.

Ordinance 2021-10, Bond Ordinance Authorizing the Acquisition of Various Pieces of Equipment and Completion of Various Capital Improvements in and for the Borough of Palmyra, County of Burlington, New Jersey; Appropriating the sum of \$743,700.00 Therefor; Authorizing the Issuance of General Obligation Bonds or Bond Anticipation Notes of the Borough of Palmyra, County of Burlington, New Jersey in the Aggregate Principal Amount of up to \$686,090.00; Making certain Determinations and Covenants; and Authorizing Certain Related Actions in Connection with the foregoing.

Mayor Tait asked for a motion to open Ordinance 2021-10 for public hearing. Mrs. Russell made a motion to open Ordinance 2021-10 for public comments. President Howard second the motion

All members present voted in favor of the motion.

Mr. Rader – Harbour Drive, Mr. Rader indicated he had a different title for Ordinance 2021-10 that he had received thru an OPRA request. Ms. Jackson indicated the title he was reading was for Ordinance 2021-12 not 2021-10 and he should refer to the minute synopsis received with the OPRA request. Mr. Rader indicated he would, and he would call tomorrow if he needed additional info.

Seeing no other comments Mayor Tait requested a motion to close the public portion for hearing of Ordinance 2021-10. Mrs. Russell made a motion to close the public hearing of Ordinance 2021-10. President Howard second the motion.

All members present voted in favor of the motion.

Mayor Tait requested of motion to approve Ordinance 2021-10. Mrs. Russell made a motion to approve Ordinance 2021-10. President Howard seconded the motion.

At the call of the roll, the vote was:

INFAVOR: Mr. Allmond, Dr. Cloud, Mrs. Jenkins, Mrs. McCann, Mrs. Russell, President Howard

AGAINST: None

Motion carried. Ordinance 2021-10 was approved.

Ordinance 2021-11, Bond Ordinance Authorizing the Completion of Various Improvements to the Sewer Utility System in and for the Borough of Palmyra, County of Burlington, New Jersey; Appropriating the sum of \$458,700.00 Therefor: Authorizing the Issuance of General Obligation Bonds or Bond Anticipation Notes of the Borough of Palmyra, County of Burlington, New Jersey, in the Aggregate Notes of the Borough of Palmyra, County of Burlington, New Jersey, in the Aggregate

Principal Amount of up to \$458,700.00; Making Certain Determinations and Covenants; and Authorizing certain related actions in connection with the Foregoing.

Mayor Tait asked for a motion to open Ordinance 2021-11 for public hearing. Mrs. Russell made a motion to open Ordinance 2021-11 for public comments. President Howard second the motion

All members present voted in favor of the motion.

Seeing no comments Mayor Tait requested a motion to close the public portion for hearing of Ordinance 2021-11. Mrs. Russell made a motion to close the public hearing of Ordinance 2021-11. President Howard second the motion.

All members present voted in favor of the motion.

Mayor Tait requested of motion to approve Ordinance 2021-11. Mrs. Russell made a motion to approve Ordinance 2021-11. President Howard seconded the motion.

At the call of the roll, the vote was:

INFAVOR: Mr. Allmond, Dr. Cloud, Mrs. Jenkins, Mrs. McCann, Mrs. Russell, President Howard

AGAINST: None

Motion carried. Ordinance 2021-11 was approved.

Ordinance 2021-12, Ordinance of the Borough of Palmyra Amending Chapter 90 Vehicles and Traffic, 90-6 Time Limit Parking, of the Code of the Borough of Palmyra, and amending Time Limit provisions included in Ordinance 2016-18

Mayor Tait asked for a motion to open Ordinance 2021-12 for public hearing. Mrs. Russell made a motion to open Ordinance 2021-12 for public comments. President Howard second the motion

All members present voted in favor of the motion.

Bob Rader – Harbour Drive- Mr. Rader stated:

Mr. Gural indicated some additional information is needed:

Item#1: will be the last parking space in the parking zone area, closest Toney’s Barber shop

Item#8: 4 perpendicular parking spaces on Broad Street before the angled parking, 1 space closest to Cinnaminson Avenue will be 15-minute parking space.

Item #11: angled parking spaces on little Broad from Cinnaminson Avenue to Chestnut Street- currently at 4 hours, what time limit should it be, Council agreed it should be 4 hours. Except 15-minute parking in front of the post office.

Mr. Gural indicated what was just read is the discussion held at the meeting one month ago indicating they are the changes the governing body wished to make prior to the introduced ordinance. Mr. Gural

indicated all those changes have been incorporated into the final document. Mr. Rader asked if the Ordinance is complete. Mr. Gural indicated yes.

Seeing no other comments Mayor Tait requested a motion to close the public portion for hearing of Ordinance 2021-12. Mrs. Russell made a motion to close the public hearing of Ordinance 2021-12. President Howard second the motion.

All members present voted in favor of the motion.

Mayor Tait requested of motion to approve Ordinance 2021-12. Mrs. Russell made a motion to approve Ordinance 2021-12. President Howard seconded the motion.

At the call of the roll, the vote was:

INFAVOR: Mr. Allmond, Dr. Cloud, Mrs. Jenkins, Mrs. McCann, Mrs. Russell, President Howard

AGAINST: None

Motion carried. Ordinance 2021-12 was approved.

RESOLUTIONS

Mayor Tait stated, Resolution 2021-171 thru Resolution 2021-176 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 Tait asked if anything needed to be removed. Noting no one requested additional discussion on any resolutions, Mayor Tait read the following resolutions into the record:

Resolution 2021-171, Resolution Extending the Grace Period for 2021 Third Quarter Property Taxes

Resolution 2021-172, Resolution Authorizing the Cancellation of Various Municipal Certificates

Resolution 2021-173, Awarding a Contract to Environmental Resolutions, Inc (ERI) for Design of Berkley Avenue Pump Station Improvements per their Proposal Submitted August 2, 2021, in the amount of \$97,500.00

Resolution 2021-174 Resolution Awarding a Contract to Command Co, Inc. for the Veteran's Memorial Park Enhancement project in the Amount of \$121,857.00 which includes Alternates #1, #2, and #3 per Recommendation of Award Letter Dates August 11, 2021, from Environmental Resolutions, Inc.

Resolution 2021-175 Resolution Authorizing Participation with the State of New Jersey Grant Program Administered by the Office of the Attorney General, Department of Law and Public Safety and accepting SFy21 Body-Worn Camera Grant award in the amount of \$42,798.00.

Resolution 2021-176 Resolution Authorizing the Payment of August 2021 Bills in the Amount of \$1,438,083.65

Mayor Tait requested a motion to approve the consent agenda, Resolutions 2021-171 thru Resolution 2021-176.

Mrs. Russell made a motion to approve the consent agenda, Resolution 2021-171 thru Resolution 2021-176. President Howard second the motion.

At the call of the roll, the vote was:

INFAVOR: Mr. Allmond, Dr. Cloud, Mrs. Jenkins, Mrs. McCann, Mrs. Russell, President Howard

AGAINST: None

Motion carried. Resolutions 2021-171 and Resolution 2021-176 were approved

MOTION TO APPROVE TREASURERS' REPORTS

Mayor Tait requested a motion to approve the Treasurer's Report of July 2021. Mrs. Russell made a motion to approve the Treasurer's Report for July 2021. President Howard second the motion.

At the call of the roll:

All members present voted in favor of the motion.

Motion Carried. Treasurer Report was approved

PUBLIC EVENTS

Mayor Tait stated the "Neighbor to Neighbor" block parties were held on Front Street and on Columbia Avenue and were very good. Mayor Tait noted it was good to see and talk with the residents on those blocks and they enjoyed getting to know some of their neighbors they didn't know.

Mayor Tait noted the Palmyra Markets are again being held on Thursdays at the Payton Flournoy Park.

Mayor Tait stated the mobile NJ MVC bus will be at the Community Center on Saturday August 21st, 2021, between 10:00am and 2:00 pm.

Mayor Tait indicated the Town-wide Yard Sale will be held Saturday September 18th, with a rain date of September 19th, 2021. Mrs. Russell indicated anyone interested in participating should email townwideyardsale@boroughofpalmyra.com to have their name, and location placed on the list and map. Mr. Allmond asked where the map would be available. Mr. Russell indicated they were working on it and additional information would be coming.

Mayor Tait indicated the Halloween Parade will be held on October 30th, 2021

DISCUSSION ITEMS

Mr. Gural indicated Ms. Jackson has contacted the prior community staff to see if they would be interest in coming back to clean the restrooms at Legion Field. Mr. Gural noted there is no interest on their part to do that. doing that. Mr. Gural asked council to think about how they wished to proceed regarding the restrooms.

Mr. Gural stated the Mr. Ruderman had indicated it is acceptable for employers to require mandatory COVID-19 vaccinations for Borough employees and in his letter recommends that the Borough require vaccinations. There was discussion regarding whether a policy should be implemented, who is vaccinated currently, time allotted for being exposed, getting vaccinated, and time allocated for

contracting covid-19. There was discussion regarding special covid-19 time allotted and the use of PTO time instead of special covid-19 time. Mr. Rosenberg indicated in the past we have turned to or inquired from JIF, our insurance carrier an opinion as to how they feel about mandatory vaccines. Mr. Gural indicated he would provide additional information regarding where we are, what other organizations are doing, what JIF is suggesting to the governing body and the decision can be made at the time.

Mayor Tait indicated Mrs. McCann and Dr. Cloud indicated they would be willing to work with ERI on the Temple Blvd Storm Drain/ Rain Garden project as points of contact.

Mr. Gural indicated we are soliciting proposals for the Community Center HVAC system, as a unit needs to be replaced and the one, we currently have is no longer manufactured. Mr. Gural indicated he would forward additional information as it comes along.

Mr. Gural stated the trash collection is horrendous. He noted we have placed Republic on notice regarding liquidated damages. We are aware that there is a shortage of CDL drivers and essentially what we are getting is new drivers that don't know the routes, or Palmyra. Mr. Gural indicated he felt it was time for Mr. Rosenberg to get involved regarding the liquidated damages. Council agreed.

Mayor Tait indicated she would be meeting with the Mayor of Riverton regarding the Riverton Jetter - Shared Service agreement and would be getting back to council with additional information.

Mr. Gural indicated Ms. Johns is back full-time in the Tax office and now we will be having discussion regarding internally moving some employees around and potentially changes some positions. Mr. Gural indicated the senior management team will be having a discussion and recommendations will be for coming.

Mr. Almond indicated there are some minor changes regarding term of service and adding the duties and responsibilities to the PHS Student Representative Guidelines. Mr. Almond noted Ms. Sabo had some input and indicated she would have it on their website along with the application in the hopes of attracting more students.

Mayor Tait indicated the Annual NJLM Conference will be held in Atlantic City from November 16-18, 2021. Please let Ms. Jackson know if you plan on attending before the next Council meeting September 20th, 2021, so arrangements can be made.

Mr. Gural stated the County was spraying for mosquitos in the community last week; they did not notify the Borough so we could not notify the residents. Mr. Gural explained the process the county uses to determine where they are spraying and when. Mr. Gural stated it is concerning to residents when they don't receive advanced notification. Mr. Gural noted that when we receive notification, we will notify the public. Mr. Gural stated with the growing concern on Facebook regarding mosquitoes, Amanda brought to his attention a mosquito larva killer that can be placed in standing water. He noted that she bought them from Schwering Hardware store and with the governing bodies permission perhaps we could purchase a few give them out on a first-come-first-serve basis and then refer anyone else looking for them places they could be obtained. The governing body agreed.

Ms. Jackson indicated the County Board of Election will be placing ballot boxes in all Burlington County municipalities before the general election in November. Ms. Jackson noted that they look like the one already located in Cinnaminson Township. Ms. Jackson indicated a location has been chosen in front of the building and the box is required to always be monitored. Ms. Jackson noted that the cost for the installation of the additional camera to our current system will be reimbursed by the county. Ms. Jackson noted installation of the ballot box, should late August or mid-September.

Mr. Gural indicated there was nothing new to report regarding the following grant opportunities, other than they are working on them; DCA Local Assistance Bureau - explore potential Fire-Department/EMS merger/shared service feasibility study and DVRPC Safe Routes to Transit Technical Assistance Program.

Mr. Gural indicated the following items are things which the governing body is currently working on and additional information will be coming at a later date.

- Legion Field & Community Center usage Ordinances
- Purchase Orders - Council signature requirement
- Sidewalk/snow & ice removal Ordinance
- Sewer lateral responsibility Ordinance and Sewer bills - update
- Handicap Parking Sign Ordinance
- Parking Ordinance - additional amended code subsections required
- Veterans Affairs Committee Ordinance

ADMINISTRATORS REPORT

Mr. Gural reminded all that the Online Tax Sale will be held on September 14th, 2021.

Mr. Gural stated the Technical Assistant and Code Enforcement Officer positions are listed on the website and were included in your packets along with the detailed description of what the code enforcement position requires.

MAYOR AND COUNCIL COMMENTS

Mrs. Russell- No Comment

Dr. Cloud – No Comment

Mrs. Jenkins – No Comment

Mr. Allmond – No Comment

Mrs. McCann- No Comment.

President Howard thanked Chief Campbell and the police department for the great job they did with “National Night Out”.

Mayor Tait told everyone to have a safe holiday.

Mayor Tait asked Mr. Gural and Mr. Rosenberg if there were items for closed session. Mr. Gural and Mr. Rosenberg indicated yes.

Resolution 2021-177 Resolution Excluding the Public from Certain Meetings Pursuant To Section 8 of the Open Public Meeting Act C. 231 P. L. 1975 for matters relating to:

Contracts Negotiations- PURE, Potential Litigation – Outlaw Fitness

Mayor Tait requested a motion to approve Resolution 2021-177. Mrs. Russell made a motion to approve Resolution 2021-177. President Howard second the motion.

At the call of the roll, the vote was:

INFAVOR: Mr. Allmond, Mrs. Jenkins, Mrs. McCann, Mrs. Russell, President Howard

AGAINST: None

Into closed at 8:22 pm

Out of closed at 8:51 pm

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

All members present voted in favor of the motion. Motion Carried

Mayor Tait requested a motion to approve Resolution 2021-178, A Resolution of the Borough of Palmyra Authorizing Redevelopment Counsel and or the Borough Solicitor to file a lawsuit against the Redeveloper Outlaw Fitness in connection with the Redevelopment of the site located within the Borough of Palmyra.

Mrs. Russell made a motion to approve Resolution 2021-178 as stated by Mr. Rosenberg. President Howard second the motion.

At the call of the roll, the vote was:

INFAVOR: Mr. Allmond, Mrs. Jenkins, Mrs. McCann, Mrs. Russell, President Howard

AGAINST: None

ABSENT: Dr. Cloud

Motion carried. Resolution 2021-178 was approved

ADJOURNMENT

Mayor Tait 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. Motion Carried

Meeting adjourned at 8:54 PM

Doretha R. Jackson, RMC
Municipal Clerk
Borough of Palmyra
Approved: September 20th, 2021