

Borough of Palmyra
Virtual Council Caucus Meeting, 6:30 PM
Monday February 7th, 2022

The Regular Council Meeting of the Borough Council of the Borough of Palmyra was called to order by Mayor Tait at 6:41 PM

ROLL CALL

At the call of the roll:

PRESENT: Brandon Allmond, Dr. Laura Cloud, Michelle McCann, Bernadette Russell, President Timothy Howard, Mayor Gina Ragomo Tait

ABSENT: Farrah Jenkins

The pledge of Allegiance was recited.

OPEN PUBLIC MEETINGS STATEMENT

Mayor Tait Read the following open public meetings 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 and in response to Executive Order No 196 issued by Governor Murphy on November 16, 2020. Please be advised the Borough of Palmyra does hereby notify the public that to protect the health, safety and welfare of our citizens while ensuring the continued functioning of government, the meeting of the Mayor and Council will be a Virtual Council Meeting. Members of the public are invited to “attend” the Virtual Council Meeting but all members of the public participating in the meeting may be muted, and their video image disabled. Notice of this meeting was published in the Burlington County Times on January 10th, 2022. Notice was posted on the Municipal Door, Official Bulletin Board, and electronic signs on January 5th, 2022. Notice was also posted on the Borough of Palmyra Website on February 4th, 2022, and notice was given to all Council Members.

APPROVAL OF MINUTES

Mayor Tait requested a motion for approval of the December 6th,2021 Council Caucus Meeting Minutes and the December 6th, 2021, Executive Session Meeting Minutes.

President Howard made a motion to approve the minutes from the December 6th,2021 Council Caucus Meeting and the December 6th, 2021, Executive Session Meeting. Mrs. Russell second the motion.

At the call of the roll the vote was:

INFAVOR: Dr. Cloud, Mrs. McCann, Mrs. Russell, President Howard

AGAINST: None

ABSTAIN: Mr. Allmond

Motion Carried

Mayor Tait requested a motion for approval of the January 3rd, 2022, Reorganization Meeting Minutes. President Howard made a motion to approve the minutes from the January 3rd, 2022, Reorganization Meeting. Dr. Cloud second the motion.

At the call of the roll the vote was:

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

AGAINST: None

ABSTAIN: None

Motion Carried

CORRESPONDENCE

Municipal Clerk, Ms. Jackson acknowledged the following correspondence received.
Press Release - NJ DCA Local Recreation Improvement Grant Award

REDEVELOPMENT

Rt. 73 South Redevelopment Area

Mr. Nehmad and Mr. Stock asked to address the governing body. Permission granted Mr. Nehmad stated the redevelopment project noting the affordable housing component is one of the most attractive housing projects in the state. Mr. Nehmad noted Ordinance 2022-01 on the agenda to rescind Ordinance 2021-05 Amending the Borough of Palmyra Land Development Code Section 158-27(B) and the Route 73 South Redevelopment Plan to permit Administrative Review and approval of minor modifications and/or field changes relating to previously approved site plans, and rescinding Ordinance 2021-14 Amending Ordinance 2021-05 concerning administrative review and approval of minor modifications and/or field changes relating to previously approved site plans. Mr. Nehmad indicated that he represents PURE, and Glenn Stock was also present tonight. Mr. Nehmad noted that there may be unintended consequences if it were adopted right now. Mr. Stock indicated he invited people from Conover as they are embarking on some administrative changes right now for the affordable housing component of the project. Mr. Stock stated there have been a number of challenges in redeveloping the project, noting the bankruptcy and the inability of them being able to secure ownership of the Fillit property, getting DEP permit approvals thus having to split the Land Use Boards approval into two separate projects and in order to do that, somethings needed to be done administratively such as shrinking some of the employees and trailer parking to keep everything on the NAI property. Mr. Stock also noted the change in setbacks due to the bald eagle's nest. Mr. Stock indicated in doing so and because of the administrative approval process they were able to acquire the NAI property secure the eight acres for the affordable housing properties, to be able to put 5.8 million in the affordable housing trust fund, to start the infrastructure work for the affordable housing and warehouse buildings and potentially deliver those this summer. The consequences of rescinding the ordinances passed, puts

them in a position of having to go back to the DEP to get approvals for plans that match the approvals that the Land Use Board granted. Mr. Stock noted the amendment to Ordinance 2021-05 allowed them to acquire the Fillit property and to keep the applications with the DEP on track for potential approvals in a month or so and begin remediation work this summer. Mr. Stock indicated he was concerned as if the prior administrative approvals are removed then the process will be set back with DEP due to resubmissions and again waiting for further approvals. Mr. Stock indicated the project has approvals from DEP to install an outfall line for stormwater, going to Pennsauken Creek instead of the Delaware River. Mr. Stock stated that if the administrative approval is not granted for the line, they will not be able to put the confer dam in place because of a fish issue, noting that because of the fish habitat in the creek, no in-water work could be done until July 1st of 2022. Mr. Stock indicated that perhaps the challenges currently are to educate the governing body, as was done in the past, regarding questions about wetlands and mitigation plans. Mr. Stock suggested a subcommittee of the council to meet and talk thru some of the details, the impacts, and the benefits of navigating applications of this scale thru the administrative process; they are not trying to circumvent the Land Use Board or the Engineers on the project. Mr. Stock stated they would like to keep the administrative approvals to keep the workers in the field and the projects moving along accordingly. Mr. Nehmad stated we are requesting that the governing body to not move forward with what ever initiative it desire, they simply seek that the status quo be preserved and the governing body table the ordinance until perhaps a sub-committee could meet with Mr. Stock.

Mr. Rosenberg requested a moment to speak. Mr. Gural indicated he also had some information to share with the governing body. Mr. Gural stated, as Mr. Nehmad and Mr. Stock are aware that no prior approvals already authorized are affected by this Ordinance, and from a legal perspective this ordinance affects everything moving forward. Mr. Gural stated, think about the magnitude of rerouting a significant stormwater system, which was approved by the Land Use Board, to out flow into the Delaware River, and change it 90 degrees to flow into the Pennsauken Creek which requires a coffer dam be installed. Mr. Gural stated these are highly technical issues which a small committee of council does not have the technical expertise or authority to address these issues that rightfully belong before the Land Use Board. Mr. Gural noted that is not a minor modification it is well beyond that. There was additional discussion. Mr. Rosenberg indicated there is nothing wrong with dialog and has no objection to a meeting however he agrees with Mr. Gural, that the governing body is being placed at a huge disadvantage if they meet with a very knowledgeable redeveloper who has full understanding of environmental and engineering issues, it is not an equal forum, it will require more than the governing body and Mr. Stock. Mr. Rosenberg also noted that the approvals that have been documented to date, based upon the administrative ordinance, stand. Mr. Rosenberg stated that 99 percent of the redevelopment projects in the state occur without this administrative approval process, and this is a huge exception. Mr. Rosenberg stated the administrative approvals which were granted where far exceeded, which is unacceptable, can not continue, and jeopardizes the entire project. There

was additional discussion regarding the project, the outstanding issues and Conover. Mr. Nehmad and Mr. Stock thanked the governing body for allowing them to be heard.

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

Mr. Brewer indicated the valuation trial has been set for March 14th, 2022. Mr. Brewer indicted Mr. Salvetti is not available that week so he will be contacting counsel for Active Realty noting our request to change the scheduling date with the court.

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

Mr. Gural indicated he had nothing new to report currently. Mr. Gural noted that Riverton Borough recently approved a brewer in the Borough. Mr. Gual suggested that we potentially advertise that location as a potential location for a brewer or other similar location, noting that with the governing body's approval he would aske Mr. Gerkens to prepare such documents to do that. The governing body agreed.

PROFESSIONAL UPDATES

James Winckowski, CME

Mr. Winckowski indicated the Rt 73 project has been hampered by the weather, but they are moving along, noting that they are pouring the slab for warehouse #2, which is about 75% complete. Mr. Winckowski noted they are forming out some of the walls which they are hoping to have erected in February or March. They have also completed some site and utility work while they prepare plans for the land fill mitigation. Mr. Winckowski stated some clearing, grading and compaction but that has been held up for a moment while they deal with some engineering issues.

William Kirchner, ERI

Mr. Kirchner indicated bids were take for the Temple Blvd TAP project, which are the improvements to the Firth and Temple intersection. Mr. Kirchner indicated they are currently going thru the bids and are hoping to have them to DOT in the next few coming weeks to have the approval back from DOT and to the governing body for contract award before April of 2022. Mr. Kirchner stated the DOT grant for Spring Garden Street is still waiting for approval by the end of February so it can go out to bid. Mr. Kirchner stated they are working on the 2022 Road Improvement project covering sections on Rowland, East Henry, and Wallace Streets. Mr. Kirchner stated the sewer department was issued a new five-year permit for discharge which noted so minor changes in sampling water and new parameters to dissolve the oxygen. Mr. Kirchner indicted the minor changes may cost less than one thousand dollars but will save about thirty to forty thousand in improvements. Mr. Kirchner indicated the 2021 capital project was completed of repairing the air lines and should reduce the electric bills going forward.

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 February 7th, 2022. All comments will become part of the record and included with the Meeting Minutes.

For those who “attended” the Virtual 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 Mr. Allmond made a motion to open the public portion for comments. Mrs. McCann 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 no comments were received prior to the meeting.

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

Ms. Weiner- Charles Street – Ms. Weiner indicated she sent an email to the governing body regarding the amending of the ordinance regarding the consumption of alcohol in public places. Ms. Weiner asked if anyone had any questions and or concerns regarding it. Ms. Weiner stated she wanted to see this move forward and wanted to know what the governing body was going to do. Mrs. Russell stated in Demember she and the committee has if anyone had any concerns or comments to reach out to her, but no one has, so he indicated we could move forward with it. Ms. Weiner asked if anyone had any question that she could help with. President Howard indicated he was ok with moving forward to make the change. There was additional discussion. Mr. Gural indicated it was up to the governing body as to how they proceed, and it may have to go to the Land Use Board. Mayor Tait asked her to send it to her so it could be written up to have placed on the next agenda for possible introduction. There was additional discussion regarding the businesses and their requirements for the State of New Jersey Alcohol Beverage commission.

No one else from the public wishing to be heard, Mayor Tait asked for a motion to close the Public Portion. Mr. Allmond made a motion to close the public portion, Mrs. Russell second the motion.

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

Mayor Tait indicated there was a need to enter closed session.

Mayor Tait asked for a motion to approved **Resolution 2022-072** - 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, potential litigation** Mr. Rosenberg indicated it was to early to indicated when this information would be released pursuant to the Open Public Meeting Act.

Mrs. Russell made a motion to approve Resolution 2022-072. President Howard second the motion.

At the call of the roll:

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

AGAINST: None

Motion Carried. Resolution 2022-072 was approved

Borough Council went into closed session at 7:40 pm

Borough Council returned from closed session at: 8:17 pm

Mayor Tait requested a motion to open to the public. Mr. Allmond made a motion to re-open the meeting to the public. Mrs. Russell second the motion.

All voted in favor of the motion. Motion Carried

ORDINANCE ON FIRST READING

Ordinance 2022-1, An Ordinance rescinding Ordinance 2021-05 Amending the Borough of Palmyra Land Development Code Section 158-27(B) and the Route 73 South Redevelopment Plan to permit Administrative Review and approval of minor modifications and/or field changes relating to previously approved site plans, and rescinding Ordinance 2021-14 Amending Ordinance 2021-05 concerning administrative review and approval of minor modifications and/or field changes relating to previously approved site plans.

Mayor Tait requested of motion to approve Ordinance 2022-1. Mrs. Russell made a motion to approve Ordinance 2022-1. Mr. Allmond seconded the motion.

At the call of the roll, the vote was:

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

AGAINST: None

Motion carried. Ordinance 2022-1 was approved for first reading, public hearing to be held February 22nd, 2022.

RESOLUTIONS

Mayor Tait stated **Resolution 2022-058** thru **Resolution 2022-071** 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 any resolutions needed to be removed from the consent agenda. See none to be removed, Mayor Tait read the following resolutions into the record:

Resolution 2022-58, Resolution Related to the Appointment of Crossing Guards

Resolution 2022-59, Resolution Authorizing the Cancellation of Municipal Certificate #19-0005 for Block 152, Lot 9.02, Qualifier C520B

Resolution 2022-60, Resolution Approving Participation with the State of New Jersey Federal Grant Program Administered by the Office of the Attorney General, Department of Law and Public Safety

Resolution 2022-61, Resolution Authorizing a Shared Service Agreement between the Board of County Commissioners of the County of Burlington, and the Borough of Palmyra for snow removal on county roads for a period of three-years effective January 1, 2022, thru December 31, 2024

Resolution 2022-62, Resolution Authorizing the Mayor to execute the 2022 Recycling and Solid Waste Services Agreement between the Borough of Palmyra and the Board of County Commissioners of Burlington County for a five-year term effective January 1, 2022, thru December 31, 2026

Resolution 2022-63, Resolution Authorizing the refund of tax overpayment on Block 153.02, Lot 1012 in the amount of \$1,883.39

Resolution 2022-64, Resolution Authorizing the Cancellation of taxes for a Totally Disabled Veteran at Block 52.01 Lot 5- Partial tax year 2021 and thereafter and authorizing the refund of \$724.45 previously paid.

Resolution 2022-65, Resolution Authorizing the Cancellation of Taxes for a Totally Disabled Veteran at Block 17 Lot 16-Partial tax year 2021 and thereafter and authorizing the refund of \$7,554.33 previously paid

Resolution 2022-66, Resolution Authorizing and Agreement with PAYARGO, Inc. in connection with processing online banking payments.

Resolution 2022-67, Resolution of Need Determination for the Palmyra Family Affordable Housing Development

Resolution 2022-68, Resolution Authorizing the Payment of January bills in the amount of \$1,500,267.86.

Resolution 2022-69, Resolution Appointing Christopher Henriques and Antony Perkins to the Borough of Palmyra Police Department as Patrolman effective February 14th, 2022, with an Annual Salary of \$41,000.00 per the stipulations of their conditional offers of employment

Resolution 2022-70, Resolution Appointing Matthew Maresca to the Borough of Palmyra Police Department as Patrolman effective February 14th, 2022, with an Annual Salary of \$41,000.00 per the stipulations of his conditional offer of employment

Resolution 2022-71, Resolution Rescinding Resolution 2022-038 Appointment of Craig Charles Danson and offer of employment as Electrical Sub-code Official
Mayor Tait requested a motion to approve the consent agenda Resolutions 2022-058 thru Resolution 2022-071.

President Howard made a motion to approve the consent agenda Resolutions 2022-058 thru Resolution 2022-071. Mrs. Russell second the motion.

At the call of the roll, the vote was:

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

AGAINST: None

Motion carried. Resolutions 2022-058 thru Resolution 2022-071 were approved.

MOTION TO APPROVE TREASURERS' REPORTS

Mayor Tait requested a motion to approve the Treasurer's Reports for November 2021 and December 2021. President Howard made a motion to approve the Treasurer's Reports for November 2021 and December 2021. Mr. Allmond second the motion.

At the call of the roll:

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

AGAINST: None

ABSTAIN: Mrs. Russell

Motion Carried. Treasurers Reports was approved.

DISCUSSION ITEMS

Mayor Tait indicated the numbers are going down noting that the County is offering covid vaccines at the Community Center on Tuesdays from 10 am to 4 pm. Mr. Gural stated the Borough Hall will reopen to the public on February 14th, 2022, mask required, and social distancing should be respected. Borough Council meetings will resume in Borough Hall on February 22nd, 2022. Mr. Gural stated that a meeting was held with the covid-19 committee and several issues were discussed. Mr. Gural indicated There were two items which were discussed in detail and still need addressing. Mr. Gural indicated CDC guidelines does not require testing to return to work. Mr. Gural asked if the governing body wished to require a person who has tested positive for covid-19 and has been out from work to have to test negative to return to work. There was discussion regarding the issue. Mr. Gural also noted our current policy requires all Borough employees to be vaccinated but is silent regarding booster shots. Mr. Gural asked if council wished to require all employees be vaccinated and booster. There was additional discussion, and it was decided everyone would get back to Mr. Gural and it would be placed on the agenda for next meeting.

Mayor Tait noted that the authorization to conduct Aerial Larval/ Adult Mosquito Control Activities is done every year and we again would be signing the authorization to allow it to be done.

Mr. Gural stated the following various positions, and either be advertised or requested to be placed in the budget to be able to advertise at a later date. Mr. Gural noted the Code Enforcement Officer position, he is about to offer an employment offer to someone shortly. The Janitorial/Light Maintenance position is also filled, and he will be starting in another couple of weeks. Mr. Gural noted the Electrical Sub-Code position will be advertised shortly and Mrs. Kilmer in the short term has spoken with one of our other subcode officials who also holds that license, and he has agreed to bridge the gap until we can hire someone else. Mr. Gural indicated the following positions, Deputy Clerk and Assistant Administrator he has requested and explained why there is a need for them. Mr. Gural requested permission to include them in the budget and after approval in the budget, begin the process of hiring those individuals. There was some discussion, and it was agreed that they should be placed in the budget and job descriptions created.

Mr. Gural indicated we are going thru a process of evaluating our entire fleet and he believes that when it is completed there will be some surplus vehicles to be sold. Mr. Gural indicated additional information will be forth coming.

Mayor Tait reminder all that the 2022 Budget and Budget Workshop meeting will be held on Saturday, March 26, 2022, at 8:30 AM.

Mr. Gural stated we received the estimate of the cost from the engineer for the time limit and other parking signs and additional traffic control signage noting the approximate cost is about \$40,000.00 including installation. Mr. Gural noted it is a capital expense and will need to be publicly bid.

Mayor Tait indicated that last year we combined our Juneteenth Celebration with the Borough of Riverton. Mayor Tait indicated she was looking for someone to work with the Juneteenth Committee on this year's celebration. President Howard indicated he would be willing to help with that committee.

Mr. Gural stated he asked Mr. Kirchner to look into the specs for the potential purchase of an automated trash truck. Mr. Gural stated Mr. Gerkens found a grant which we may be eligible for, for the purchase of an electric automated trash truck. Mr. Gural stated he had a conversation with the MACCS representative, and it is going up over thirty percent when the contract renews. There was some discussion regarding trash collection and the rising cost.

Mr. Gural indicated he forwarded the vacant property registration and fee ordinance from the Burl Co JIF to Mr. Rosenberg for review. Mr. Rosenberg indicated that because of the amendments made previously he believes we are ok for now.

Mr. Gural were over the various grants noted, indicating the various grants were are currently seeking and explained what each grant was for; NJ DOT Local Bicycle/Pedestrian Planning Assistance Program, US Dept of Homeland Security and FEMA SAFER Grant for potential hiring of two firefighters, NJ EDA Brownfield Impact Fund, PSE&G Sustainable Jersey Grants Program, NJ Department of Law and Public Safety Safe and Secure Grant Program, NJ ERA Aspire Program under NJ FRA for Redevelopment Funding, NJAW Volunteer Fire and EMS Grant Program.

ADMINISTRATORS REPORT

Mr. Gural stated Ms. Johns is currently working on water-usage based sewer billings. Mr. Gural noted she has had meetings with the Harbour Condo Association while working on this project.

Mr. Gural also noted that the Civic Ready Emergency notifications is ready for use and urged everyone to sign up to get those emergency notifications.

ONGOING REMINDER PROJECTS

Mr. Gural stated the following items are reminders for the various projects the governing body is addressing. Mr. Gural noted additional information will be forthcoming in the future.

- Purchase Orders - Council signature requirement

- Sidewalk/snow & ice removal Ordinance
- Sewer lateral responsibility Ordinance and Sewer bills
- Handicap Parking Sign Ordinance
- Parking Ordinance - additional amended code subsections required
- Veterans Affairs Committee Ordinance
- Accessory Structures/cargo containers - Zoning/Land Development Ordinance amendments

Mayor Tait asked the PHS student representatives if they had any comments or reports.

Coady McCann went over the winter sports programs noting various achievements of the girls' and boys' basketball teams. Mr. McCann also stated the winter track is at a stand still as the bubble they compete in collapsed.

Naomi Caban stated the school started a new program called "Panthers Provide." She explained that students at the school can be provided with any material that they need for home without any questions asked noting food, clothes, and school supplies. Ms. Caban noted that all students brought in assorted items for the program by way of a competition amongst themselves, and they began just before winter break. Ms. Caban stated that they have organized the closet and it is open to all students in the school to take what ever they need.

Ms. Gillespie indicated the Environmental Science Club, Black Student Union, and GSA Club have a lot higher attendance this year. Ms. Gillespie noted a presenter is coming to present a student prejudices seminar just as a reminder to be kind to everyone.

MAYOR AND COUNCIL COMMITTEE REPORTS AND COMMENTS

Mrs. Russell- no comment

Dr Cloud – Dr. Cloud thanked the student representatives for staying through the meeting.

Mr. Allmond -no comment

Mrs. McCann- Mrs. McCann noted her thankfulness for the vaccine clinic in the Community Center

President Howard – no comment

Mayor Tait stated our the Virtus Mobile Grocery Store is still coming to the Community Center parking lot on Thursdays from 2-3:30 pm. Mayor Tait request Mrs. McCann begin the process of looking into the Easter Egg Hunt as we would like to do it this year. Mayor Tait stated Council needs to be more diligent in signing off on purchase orders. Mayor Tait asked everyone to get back to her with which dates everyone is available to attend the Riverfront and Harbour Condo Association meetings. Mayor Tait indicated she swore in the new Fire Chief, Alan Zimmermann and the new Deputy Chief, Michael Stokes. Mayor Tait indicated she attended the grand opening for the new business that opened in town, ATAX. Mayor Tait indicated she had a Mayor's Advisory Board meeting

last month and many great ideas were exchanged, and she is looking forward to the next in a couple of months. Mayor Tait noted the request from the Fire Department to check your smoke detectors, noting that they are giving away detectors to those who need them. Contact Mrs. Kilmer at 856-829-1096 if you need one. Mayor Tait asked everyone to email her with any concerns or questions you may have.

Mayor Tait asked for a motion to adjourn. Mr. Allmond made a motion to adjourn the meeting. Mrs. McCann second the motion.

All voted in favor of the motion. Motion Carried

Meeting adjourned at 9:10 PM

Doretha R Jackson, RMC

Municipal Clerk

Approved: March 7, 2022