

**Borough of Palmyra**  
**Regular Council Meeting, 6:30 PM**  
**Monday, March 21<sup>st</sup>, 2022**

The Regular Council Meeting of the Borough Council of the Borough of Palmyra was called to order by Mayor Tait at 6:35 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. Public Notice of this meeting 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 5<sup>th</sup>, 2022.
- Mailing written notice to the Burlington County Times, and the Courier Post Newspaper on January 10<sup>th</sup>, 2022.
- Notice to All Council Members.

**APPROVAL OF MINUTES**

Mayor Tait requested a motion for approval of the March 7<sup>th</sup>, 2022, Executive session Meeting Minutes.

Mrs. Russell made a motion to approve the minutes from the March 7<sup>th</sup>, 2022, Executive Session Meeting. President Howard 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**

**CORRESPONDENCE**

Municipal Clerk, Ms. Jackson acknowledged the following correspondence received

Resignation Letter- Tyler Tolan, Recruit

Thank-you Note, William Kirchner, ERI

Thank-you Note, Lois Gerkens

Mayor Tait requested a motion to accept the resignation letter from Tyler Tolan. Mrs. Russell made a motion to accept the resignation letter from Tyler Tolan. President Howard second the motion.

## **REDEVELOPMENT**

### Rt. 73 South Redevelopment Area- Update and hearing of PURE, LLC Amended Preliminary and Final Major Site Plan Application review for approval to submit to Land Use Board

Mr. Gural noted the memo received from Mr. Rosenberg, in your packet, regarding the Fair Share Housing negotiations is for additional discussion in executive session. Mr. Gural noted the discussion previously had regarding the redeveloper's desire to reroute the stormwater outflow system into the Pennsauken Creek, from the approved location into the Delaware River, along with the installation of a cofferdam in the creek. Mr. Gural stated the cofferdam and location change which was approved by the Army Corp of Engineers has not been approved administratively or by the Land Use Board. Mr. Gural noted the cofferdam was installed last week with the approval of the Army Corp of Engineers however the rerouted piping has not been approved by the Borough or the Land Use Board. Mr. Gural reminded all that two weeks ago Council had a conversation and approved PURE. LLC's request to allow them to go before the Land Use Board for the subdivision. Mr. Gural noted they will be appearing before the Land Use Board tomorrow for subdivision approval. Mr. Gural stated that tonight PURE, LLC is here requesting approval to proceed to the Land Use Board again for amended preliminary and final major site plan approval.

Mr. Winckowski stated that the redeveloper is looking to make site changes to the NAI and Fillit plan sites. Mr. Winckowski noted that most of the changes are occurring because of situations that arouse regarding obtaining outside agency approvals, and the purchase of the Fillit property after their initial plan submission and approval to and by the Land Use Board. Mr. Winckowski explained the changes being requested and the reasons for the changes. Mr. Brewer explained the timing of the purchase of the two properties and how it played into the applications presented to the Land Use Board. Mr. Brewer also explained the discovery of the Bald Eagle nest and the restrictions placed on the project noting how it also changed the size of one warehouse from one million sq. feet to 704,250 sq feet. Mr. Brewer explained that Council tonight is simply granting permission for the redeveloper to go before the Land Use Board to request the changes, council is not approving the changes requested nor the site plan that is solely a decision of the Land Use Board.

Ms. Walters, of Nehmad, Davis & Goldstein. P.C. stated Mr. Winckowski did a good job of explained why they were before the governing body tonight. Ms. Walters explained their requests and how the timing effected the changes being requested. Ms. Walters noted the administrative changes approved in the field and explained the changes that are currently needed to continue on with the project. Ms. Walters explained the buffer required for the eagle's nest requiring changes to the plans as approved

and noted that because of Fillit's bankruptcy, resolution compliance was never achieved and they were moving thru the DEP process as things were moving along. Ms. Walters indicated that if the buffer is lifted regarding the eagle's nest, they may return in the future to apply to restore/add on to the warehouse taking it back to its original requested size. Ms. Walters went over the project narrative explaining the changes being requested. Ms. Walters noted that there were no changes to the affordable housing site and the changes requested apply only to the NAI and Fillit sites. Ms. Walters noted that the changes requested remain consistent with the redevelopment plan as approved. Ms. Walters noted that Mr. Hanrahan, Engineer, P.E. of Hammer Engineering would be presenting some exhibits which would show what was approved and what is proposed for approval also showing the buffer required for the eagle's nest. There was additional discussion regarding the eagles 'nest and the timing regarding abandonment of the nest.

Mr. Hanrahan presented the exhibits regarding the previously approved plans and the proposed changes, showing and explaining the difference in the two plans. There was some discussion.

Mayor Tait requested a motion to approve Resolutions 2022-100. Resolution to Authorize Palmyra Urban Renewal Entity, LLC to apply to Land Use Board for Amended Preliminary and Final Major Site Plan approval.

President Howard made a motion to approve Resolutions 2022-100, Resolution to Authorize Palmyra Urban Renewal Entity, LLC to Apply to Land Use Board for Amended Preliminary and Final Major Site Plan approval 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 2022-100 was approved.**

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

Mr. Brewer noted the property valuation hearing is scheduled for April 27<sup>th</sup>, 2022. Mr. Gural indicated Outlaw Fitness is currently putting together their information for permits, noting that they would need to go before the Land Use Board for site plan approval.

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

Mr. Gural stated that Sea Box may be considering going before the Land Use Board. Mr. Gural asked Mr. Brewer if it would be necessary for them to come before council, due to being in a redevelopment area. Mr. Brewer indicated he would check into it and report back to the governing body.

#### **PROFESSIONAL UPDATES**

William Kirchner, ERI

Mr. Kirchner indicated that at the last meeting Council approved the contract award to Byrd Dog Paving for the Tap portion of the Temple Blvd project; and they are moving forward. Mr. Kirchner noted that the Spring Garden Street project is awaiting comments for DOT and as soon as received he will notify the governing body. Mr. Kirchner indicated they are hoping to completed the 2021 Road program sometime during April of 2022. Mr. Kirchner indicated he walked with NJAWC, Charles, Park, Hubbs, Second Streets regarding the road restoration they are completing after their water pipe installation project, he noted that they would probably be paving after school closes in late June or early July.

## REPORTS

PHS Student Representatives

Coady McCann – Mr. McCann stated that the seniors had just returned from their senior trip to Florida.

Naomie Caban- Ms. Caban noted that Thursday is the World Indication Ceremony from Students from the Spanish and German Classes.

Gabriella Gillespie – Ms. Gillespie reported that the German and Spanish Clubs were hosting a fundraiser by selling ribbons for Ukraine, she noted that all proceeds will be sent to the refugees in Ukraine.

## 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](mailto:djackson@boroughofpalmyra.com). The opportunity to submit comments prior to meeting expired at 2:00 PM on Monday March 21, 2022. For those “attending” the meeting Please sign in at the podium and state your name and address for the record. All comments will become part of the record and included with the meeting minutes. Mayor Tait asked for a motion to open to the Public for comments Mrs. Russell 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 comments from the public

Ms. Veitenheimer- Rowland Street – Ms. Veitenheimer asked could one still attend a meeting via zoom. Council indicated, currently not as meetings are being held in person. Ms. Veitenheimer asked why the staff is still working summer hours and was Juneteenth going to be a Borough paid holiday.

Mr. Gural stated the staff is not working summer hours but instead flex hours, noting the core hours the Borough of open to the public. Mayor Tait stated we have found the staff to be more productive with the flex hours, and Juneteenth will become a Borough holiday like the State and Federal government celebrated on the third day Friday in June if approved by Council. Ms. Veitenheimer inquired as to how the staff would be working for the holiday season. Mr. Gural indicated currently he did not know but when the tie got closer the public would be notified.

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**

## RESOLUTIONS

Mayor Tait stated **Resolution 2022-089** thru **Resolution 2022-099** 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 2022-089**, Resolution Authorizing the Award of a contract to Hi Quality Contracting, LLC per their Bid Proposal Dated 02/25/2022 in the amount of \$20,000.00 for Rehab Project PLRCAESC-327 Pursuant to CGP&H and CFO's Review and Approval

**Resolution 2022-090**, Resolution Approving LOSAP Eligible Volunteers for 2021 in accordance with Chapter 21: A1 off the Code of the Borough of Palmyra entitled "Fire Department Length of Service Awards Point System"

**Resolution 2022-091**, Resolution Approving Scott Clemmer as a Member of the Junior Firefighters Auxiliary to the Palmyra Fire Department

**Resolution 2022-092**, Resolution Authorizing an Electronic Tax Sale in the Borough of Palmyra

**Resolution 2022-093**, Resolution Appointing Frank Billingere as Part-Time code enforcement officer per the terms of his Offer of Employment Dated February 10<sup>th</sup>, 2022.

**Resolution 2022-094**, Resolution Authorizing a Refund of tax overpayment to Block 153, Lot 9.02 C3306 in the amount of \$1,412.46

**Resolution 2022-095**, Resolution Authorizing the Payment of March 2022 Bills already paid in the Amount of \$2,331,083.25

**Resolution 2022-096**, Resolution Awarding a Contract to Municipal Emergency Services Per Quote in the Amount of \$61,379.50 for 9 Scott Air Packs and 13 AV3000 Masks Subject to Certification of CFO

**Resolution 2022-097**, Resolution Authorizing the Palmyra Delinquent Sewer Utility Payment Plan

**Resolution 2022-098**, Resolution declaring June 19<sup>th</sup> better known as Juneteenth National Independence Day, already declared a federal and state holiday, as a legal Borough-paid holiday for all

non-represented employees, which is to be celebrated on each third Friday of every June consistent with its observance in the State of New Jersey.

**Resolution 2022-099**, Resolution amending resolution adopting Borough of Palmyra COVID-19 Vaccination Policy for employees

Mayor Tait requested a motion to approve the consent agenda Resolutions 2022-089 thru Resolution 2022-099.

Mrs. Russell made a motion to approve the consent agenda Resolutions 2022-089 thru Resolution 2022-099. President Howard 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 2022-089 thru Resolution 2022-099 were approved.**

## **PUBLIC EVENTS**

Mayor Tait noted the following upcoming events.

Mrs. McCann noted the Easter Egg Hunt being held April 9<sup>th</sup>, 2022, at Legion Field at 9:00 am, for children under 10. Mayor Tait noted and thanked F.C. Kerbeck for sending us a donation to cover the cost of all the candy for the Easter Egg Hunt. Mrs. McCann noted that on April 6<sup>th</sup>, 2022 at 6:00 pm the student volunteers would be in the Community Center stuffing eggs for the Easter Egg Hunt.

Mayor Tait noted that the Palmyra Rabies Clinic will be held April 2<sup>nd</sup>, 2022, at Chief Payton Flournoy Park, from 1:00 to 3:00 pm, noting that the Halloween Parade Committee will be hosting a fundraiser, at the same time, chipping dogs.

Mayor Tait stated that Palmyra Downtown Safety Day will be held April 30<sup>th</sup>, 2022, in the downtown area from 9:am to 2:00 pm.

Mrs. Russell stated the Spring Yard Sale will be held May 21<sup>st</sup>, 2022, throughout town, registration required.

## **MOTION TO APPROVE TREASURERS' REPORT**

Mayor Tait requested a motion to approve the Treasurer's Report for February 2022. Mr. Allmond made a motion to approve the Treasurer's Report for February 2022. Mrs. Russell second the motion.

**At the call of the roll:**

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

**AGAINST: None**

**Motion Carried. Treasurers Report was approved.**

## **DISCUSSION ITEMS**

Mr. Gural indicated a department head meeting will be held on Wednesday where we will address the continued wearing of masks within the building.

Mr. Gural indicated Ms. Kilmer is reviewing the applications received and we are hoping to have a recommendation for council at the next meeting.

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

Mr. Gural explained the state requirement to have a payment plan in place for delinquent sewer bills (as of December 31<sup>st</sup>, 2021). Mr. Gural noted the details were in the packet and the resolution was approved earlier with the resolutions.

Mr. Rosenberg indicated he had reviewed the proposed ordinance regarding alcoholic beverage consumption in public places. Mr. Rosenberg noted that the published decision of the Appellate Division of the Superior Court of New Jersey, indicating that any effort on the part of a municipality to permit alcohol to be served by a commercial entity that serves drink and or food is limited, noting that the hours cannot be addressed specifically in the ordinance. Mr. Rosenberg stated the penalty for consumers that violate the ordinance cannot be specified, noting the only thing that a municipality can do is permit the consumption of alcohol in a commercial establishment that serves food and drink. The municipality can distinguish between various different types of commercial entities. Mr. Rosenberg gave several examples. There was additional discussion regarding the potential of changing the ordinance. After a lengthy discussion Mrs. Russell suggested the ordinance be returned to committee to make some revisions to be presented to council for consideration. Council agreed, Mrs. Russell indicating the committee would advise council when they had something for them to consider.

Mr. Gural indicated that he again was contacted by the YMCA Summer Camp Program requesting usage of the fields and Community Center restrooms. After some discussion it was decided that that would not be allowed.

Mr. Gural indicated he, Chief Campbell and Lt. Murphy met with Mr. McBride regarding the School Resource Officer Agreement with the Board of Education. Mr. Gural indicated they are working on the new three-year contract as the current contract expires on June 30<sup>th</sup>, 2022. Mr. Gural noted additional figures will be for coming once finalized.

#### **ADMINISTRATORS REPORT**

Mr. Gural reminded all to sign up and take the 2022 Burl Co JIF Elected Officials Training class.

Mr. Gural noted the Tax Collector's uncollectable tax report which indicated there are no uncollectable taxes.

Mr. Gural indicated the Salem Oak seedlings are available to us if we wish to do get them. Mrs. Russell stated they could use them for Arbor Day in April. There was some additional discussion.

#### **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
- Trash Collection - Republic Services and potential inhouse collections

## MAYOR / COUNCIL COMMITTEE REPORTS AND COMMENTS

**Mrs. Russell-** Mrs. Russell indicated the student's play at Palmyra High School was awesome.

**Dr Cloud** – Dr. Cloud stated the Green Team is back and will be meeting every month. Dr. Cloud also noted they will be looking into various green projects, noting electric vehicle charging stations.

**Mr. Allmond** -no comment

**Mrs. McCann-** no comment

**President Howard** – no comment

**Mayor Tait** stated she participated in Read Across America with the children at Charles Street School. May Tait stated she attended the Harbour Condo Association meeting noting that the next meeting will be the third Tuesday in April. Mayor Tait asked everyone to sign up for a date to attend one of the meetings thru out the year. Mayor Tait also noted she would like to bring back the “Mayor for a Day” with the students from Charles Street School.

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

Mayor Tait asked for a motion to approved **Resolution 2022-101** - 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: **settlement negotiations, litigation and contracts**

Mr. Rosenberg indicated it was too early to indicated when this information would be released pursuant to the Open Public Meeting Act.

President Howard made a motion to approve Resolution 2022-101. Mrs. Russell 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 2022-101 was approved**

Borough Council went into closed session at 8:31 pm



Borough Council returned from closed session at: 8:45 pm

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

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

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 8:46 PM

Doretha R Jackson, RMC

Municipal Clerk

Approved: April 18,2022