

**Borough of Palmyra**  
**Regular Council Meeting Minutes 6:30 PM**  
**Monday, May 16<sup>th</sup>, 2022**

**CALL TO ORDER**

The Regular Council Meeting of the Borough Council of the Borough of Palmyra was called to order by Mayor Tait at 6:40 PM.

**ROLL CALL**

At the call of the roll:

PRESENT: Laura Cloud, Natashia Latimore, Michelle McCann, Bernadette Russell, President Timothy Howard, Mayor Gina Ragomo Tait

ABSENT: Brandon Allmond

**PLEDGE OF ALLEGIANCE**

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 26<sup>th</sup>, 2022, Budget Workshop Meeting Minutes.

President Howard made a motion to approve the minutes from the March 26<sup>th</sup>, 2022, Budget Workshop Meeting. Dr. Cloud second the motion.

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

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

**AGAINST: None**

**ABSTAIN: Ms. Latimore, Mrs. Russell**

**Motion Carried**

Mayor Tait requested a motion for approval of the April 18<sup>th</sup>, 2022, Regular Council Meeting Minutes. President Howard made a motion to approve the minutes from the April 18<sup>th</sup>, 2022, Regular Council Meeting. Mrs. McCann second the motion.

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

**INFAVOR: Dr. Cloud, Ms. Latimore, Mrs. McCann, President Howard**

**AGAINST: None**

**ABSTAIN: Mrs. Russell**

**Motion Carried**

### **CORRESPONDENCE**

Municipal Clerk, Doretha Jackson acknowledged the following correspondence:

Letter- David Lambe- Arbor Day Foundation Chief Executive

Letter- Thomas Berryman, Manager District #4 Local Aid - State of NJ DOT

Letter- John C Gillespie, Parker McCay- Bond Counsel

Letter- QBE Specialty Insurance Company/Summit Risk Services

Letter- Alex O. Gherardi, Lexa Concrete, LLC

### **REDEVELOPMENT**

#### **Rt. 73 South Redevelopment Area- Update**

Mr. Gural reported the final site plan amendment was approved at the last Land Use Board meeting.

Mr. Gural also reported the Environmental Justice Lawsuit was filed against Fillit and when redeveloper purchased the property, they agreed to settle the lawsuit on Fillit's behalf. The redeveloper is required and planning to have a public meeting with a large part of our community explaining the litigation and to answer questions about the project on June 16<sup>th</sup> at 6 PM. There will also be a special redevelopment council meeting after the public hearing to answer additional questions about the project.

Mr. Gural reported two items are remaining which is the Redevelopment area bond financing which is related to the settlement discussion with Fair Share Housing. There will be further discussion during closed session. As such Fair Share Housing is making additional demands on the Redeveloper which includes another four-million-dollar commitment to cover any short falls. Mr. Gural reported Fair Share Housing agreed to the Borough's decision that they would not pay any shortfalls. Further discussion will be in closed session. Mr. Brewer stated with a nonrecourse bond the borough will have no liability to pay the monies or interest back if there is a default.

Mr. Winckowski confirmed the walls on warehouse one are being put up this week.

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

Mr. Brewer stated that a mediation was held with Judge Bookbinder and the hearing negotiations will extend to tomorrow at 11:30 AM.

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

Mr. Gural reported Seabox is ready to begin negotiations for a redevelopment agreement. Mr. Gural further stated that only the designated redeveloper can file an application with the Land Use Board.

**PROFESSIONAL UPDATES**

William Kirchner, ERI

Mr. Kirchner reported the letter from DOT regarding Temple Blvd allows the Borough to start the Temple Blvd and Firth Lane project, noting that the preconstruction meeting is this Thursday at 11:00 am. Mr. Kirchner confirmed Dr. Cloud and Mrs. McCann were on the subcommittee for the Temple Blvd project and he will be in contact with them for input on the aesthetics of the project.

Mr. Kirchner noted that the contractor will send letters to the residents affected before the project starts. Mr. Kirchner also stated once he knows a timeline, he will coordinate with Mr. Gural to send notifications to the residents, police, and staff so everyone is aware of what is going on.

Mr. Kirchner reported he was able to get the gas company to remove a gas line where the storage tanks will be placed for the Temple Blvd project with no cost to the borough.

Mr. Kirchner reported resolution 2022-122 awards the 2022 road program to Pioneer General Contracting Co, Inc. The project involves cleaning up PSEG's trench restoration program from a couple of years ago, and concrete work on Oak, Rowland, Charles, and Wallace. Mr. Kirchner reported nine bids were picked up and eight were returned with the lowest bid from Pioneer Contractors in the amount of 308,250.00. Mr. Kirchner also reported the bid came in lower than anticipated.

Mr. Kirchner reported Resolution 2022-123 is a resolution for the borough to authorize settlement for liquidated damages with Think Pavers for Temple Blvd and 5<sup>th</sup> Street projects. Mr. Rosenberg reported the Borough was inconvenienced by the actions of Think Pavers and Mr. Gural and Mr. Kirchner were able to document the in action of Think Pavers. Mr. Kirchner further stated because a settlement has been made DOT will be releasing \$180,000.00.

Mr. Kirchner reported Resolution 2022-124 is for change order #3 for Think Pavers, a net decrease of \$41,726.66. The contract is 5.8% over the original award including the liquidated damages for a total amount of \$992,126.48.

Mr. Kirchner reported Resolution 2022-125, Change Order #2 to Think Pavers with the increase amount of \$3,104.90 over the original award including the liquated damages a total contract amount of \$503,078.79.

Mr. Kirchner reported Resolution 2022-127 awards the Spring Garden Street reconstruction project to the lowest bidder South State. Mrs. McCann asked when the projects would begin, Mr. Kirchner indicated the contracts and bonds would happen in early June and the intent is to complete both projects this summer.

## **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 May 16<sup>th</sup>, 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. President Howard 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

Seeing no comments Mayor Tait requested a motion to close the public comment portion. Mrs. Russell made a motion to close the public comment portion. President Howard second the motion.

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

Mayor Tait stated during the Conference of Mayors other towns only have one public comment. Other Mayors also commented that they liked the early open public section because it gave people a chance to voice their thoughts and go home early.

## **2022 MUNICIPAL BUDGET**

**Resolution 2022-110**, Resolution to Read the 2022 Budget by Title Only

Mayor Tait requested of motion to approve Resolution 2022-110. Mrs. Russell made a motion to approve Resolution 2022-110. President Howard seconded the motion.

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

**INFAVOR: Dr. Cloud, Ms. Latimore, Mrs. McCann, Mrs. Russell, President Howard**

**AGAINST: None**

**Motion carried. Resolution 2022-110 was approved**

Resolution 2022-111, Resolution Authorizing the self-examination of the 2022 Budget

Mayor Tait requested of motion to approve Resolution 2022-111. President Howard made a motion to approve Resolution 2022-111. Mrs. Russell seconded the motion.

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

**INFAVOR: Dr. Cloud, Ms. Latimore, Mrs. McCann, Mrs. Russell, President Howard**

**AGAINST: None**

**Motion carried. Resolution 2022-111 was approved**

### **2022 Municipal Budget Synopsis**

Mr. Gural stated the total budget is \$9,157,701.01. Mr. Gural noted the use of \$1,350,000.00 from surplus to offset the tax levy. Mr. Gural stated the average home is assessed at \$148,517.00 and with that assessment the average homeowner would pay \$62.63 or 3.22%. or 3.77 cents on the tax rate.

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. President Howard second the motion.

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

### **Public Hearing 2022 Municipal Budget**

Hearing no comments, Mayor Tait asked for a motion to close to the public for comments President Howard made a motion to close the public portion for comments. Mrs. Russell second the motion.

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

Resolution 2022-112, Resolution Authorizing the Adoption of the 2022 Municipal Budget

Mayor Tait requested of motion to approve Resolution 2022-112. Mrs. Russell made a motion to approve Resolution 2022-112. President Howard seconded the motion.

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

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

**AGAINST: None**

**ABSTAIN: Ms. Latimore**

**Motion carried. Resolution 2022-112 was approved**

## RESOLUTIONS

Mayor Tait stated **Resolution 2022-113** thru **Resolution 2022-127** would be enacted as a single motion, if any resolution needed 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. Seeing none Mayor Tait read the following resolutions into the record:

Resolution **2022-113** thru Resolution **2022-127** 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.

**Resolution 2022-113**, Resolution Authorizing the Mayor to Execute the 2022-2025 Interlocal Agreement Between the Borough of Palmyra and the Palmyra Board of Education Regarding the School Resource Officer

**Resolution 2022-114**, A Resolution of the Borough of Palmyra establishing the Annual Rates of Compensation and/or hourly rates paid to Borough Employees for 2022

**Resolution 2022-115**, Resolution Requesting Approval of Item of Revenue and Appropriation N.J.S.A. 40A: 4-87 (Chapter159) for 2022 New Jersey Department of Transportation Walnut & W. Henry Street Project in the Amount of \$310,000.00

**Resolution 2022-116**, Resolution Requesting Approval of Item of Revenue and Appropriation N.J.S.A. 40A: 4-87 (Chapter159) for Safe & Secure Grant in the Amount of \$21,322.00

**Resolution 2022-117**, Resolution Requesting Approval of Item of Revenue and Appropriation N.J.S.A. 40A: 4-87 (Chapter159) for 2018 Recycling Tonnage Grant in the Amount of \$9,691.85

**Resolution 2022-118**, Resolution Requesting Approval of Item of Revenue and Appropriation N.J.S.A. 40A: 4-87 (Chapter159) for Unappropriated Body Armor Grant in the amount of \$2,624.52

**Resolution 2022-119**, Resolution Requesting Approval of Item of Revenue and Appropriation N.J.S.A. 40A: 4-87 (Chapter159) for SFY2021 Body Worn Camera Grant in the amount of \$42,798.00

**Resolution 2022-120**, Resolution Requesting Approval of Item of Revenue and Appropriation N.J.S.A. 40A: 4-87 (Chapter159) American Rescue Plan Funding in the Amount of \$633,999.48

**Resolution 2022-121**, Resolution Authorizing the Refund of a Sewer Overpayment for account #2749000-0 in the amount of \$87.41

**Resolution 2022-122**, Awarding Contract to Pioneer General Contracting Co, Inc. for the 2022 Road Program in the amount of \$308,350.00 per Recommendation of Award Letter Dated May 11<sup>th</sup>, 2022, from ERI

**Resolution 2022-123**, Resolution to Authorize a Settlement between Think Pavers Hardscaping, LLC and the Borough of Palmyra Regarding Liquidated Damages for the Temple Boulevard and the 5<sup>th</sup> Street and Race Street Improvement Projects.

**Resolution 2022-124**, Resolution Authorizing Change Order #3 to Thick Pavers Hardscaping, LLC for the Temple Boulevard Improvement Project with the decreased amount of \$41,726.66 from the

adjusted base Price of \$1,033,853.14 Making the new Adjusted Contract Price \$992,126.48 per Environmental Resolutions, Inc request Dated May 9<sup>th</sup>, 2022

**Resolution 2022-125**, Resolution Authorizing Change Order #2 to Think Pavers Hardscaping, LLC for the 5<sup>th</sup> & Race Street Improvement Project with the increase amount of \$3,104.90 from the Adjusted Base Price of \$499,973.89 Making the New Adjusted Contract Price \$503,078.79 per Environmental Resolutions, Inc's request dated May 9<sup>th</sup>, 2022

**Resolution 2022-126**, Resolution Authorizing Payment of May bills in the amount of \$1,274,671.91.

**Resolution 2022-127**, The Borough of Palmyra/New Jersey Department of Transportation Division of Local Aid and Economic Development Recommendation of Award of the Bid for Spring Garden Street Reconstruction Project of the Borough of Palmyra to South State, Inc. in the Amount not to Exceed \$349,000.00 Subject to Review and Certification of Bid Documents by the Solicitor and CFO.

Mayor Tait requested a motion to approve the consent agenda Resolutions 2022-113 thru Resolution 2022-127.

Mrs. Russell made a motion to approve the consent agenda Resolutions 2022-113 thru Resolution 2022-127. President Howard second the motion.

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

**INFAVOR: Dr. Cloud, Ms. Latimore, Mrs. McCann, Mrs. Russell, President Howard**

**AGAINST: None**

**Motion carried. Resolutions 2022-113 thru Resolution 2022-127 were approved.**

#### **MOTION TO APPROVE TREASURERS' REPORTS**

Mayor Tait requested a motion to approve the Treasurer's Report for April 2022. Mrs. Russell made a motion to approve the Treasurer's Report for April 2022. President Howard second the motion.

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

#### **PUBLIC EVENTS**

Mayor Tait reported the Juneteenth Cultural Celebration will be held on Thursday, June 9<sup>th</sup>, 2022, from 5:00 PM to 9:00 PM, noting that there will food trucks, vendors, and entertainment. Mayor Tait stated the actual Juneteenth Celebration is on Father's Day and the committee wanted residents to have an opportunity to attend and still be able to enjoy plans with their father's on Father's Day.

Ms. Russell stated the Palmyra Spring Yard Sale is this Saturday, May 14<sup>th</sup>, 2022 and signs are up around town.

Mayor Tait reported Palmyra Harbour will have a Craft Fair this Sunday, May 22, 2022.

Mayor Tait reported they will be planting at the community garden on Saturday at 10 AM.

Dr. Cloud reported that the Palmyra Cove Nature Park riverbank "Beach Sweep" being run by a resident, will be held in September, noting she would have more information at the next meeting.

Mayor Tait reminded everyone about the Memorial Day Observance at Veterans Park on Memorial Day at 10:00 AM. Mr. Gural stated the supplies and personnel requested by Mr. Allmond would be coordinated amongst the staff.

### DISCUSSION ITEMS

Mr. Gural reported the gentlemen applying for the electrical subcode, withdrew his application from consideration.

Mrs. Russel reported that the commit met regarding changes to the alcoholic beverage consumption ordinance however she wanted to meet with other stake holders. Mrs. Russell stated she would reach out to Mr. Rosenberg regarding the ordinance. Mayor Tait stated the state is revamping the liquor license process. Mr. Rosenberg recommended the Borough wait for the new law to pass before making changes.

Mr. Gural reported that there were changes in the vacant/foreclosure property fee imposition policy from the state. Mr. Rosenberg stated we will have to adjust our ordinance. Mr. Rosenberg wanted to wait to see what other towns are doing. Upon a question from Mr. Gural, Mr. Rosenberg stated we should continue to enforce the current ordinance, but recommended the Borough wait to see what changes are made by other towns before we change the current ordinance.

Mr. Gural stated multiple employees and professionals are working on changing our accessory structure ordinance.

Mr. Gural reported the signs regarding time=limit parking are due to be installed this week or next week. Mayor Tait requested letters be sent out reminding the properties on Broad Street of the new times. Chief Campbell recommended warnings for a period so residents can acclimate to the new time limits and restrictions.

Mayor Tait reported the PIA requested a date in June for the Palmyra Market that conflicts with the public hearing date. Mayor Tait indicated she would speak with them regarding the dates.

Mayor Tait reported that the Palmyra High School Athletic Hall of Fame Induction dinner is on May 24<sup>th</sup> at 6 PM, the borough will purchase the tickets if anyone on Council wishes to attend. Mayor Tait also advised if anyone on council would like to go, they should contact Ms. Jackson by tomorrow morning.

### **ADMINISTRATORS REPORT**

Mr. Gural reported about the Code Enforcement Officer and the article from the Palmyra Sun.

Mayor Tait questioned whether the Borough owned the parking lot behind the liquor store. Mr. Gural reported the Borough may consider purchasing the property.

President Howard questioned whether the Borough could purchase shirts, banners, or a tent to better identify Borough Staff and Council at various events. Chief Campbell stated they could also get employee badges. Mr. Gural indicated that would be possible and asked Mrs. Jackson to talk with Ms. Kilmer and see what could be found.



Mayor Tait questioned whether we could have information on our website for someone is hiring.

### **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

Veterans Affairs Committee Ordinance

Accessory Structures/cargo containers - Zoning/Land Development Ordinance amendments

### **MAYOR / COUNCIL COMMITTEE REPORTS AND COMMENTS**

**Mrs. McCann** - no comment

**Ms. Latimore** – no comment

**Mrs. Russell** – no comment

**Dr. Cloud** – Dr. Cloud stated the Green Team would be meeting on Wednesday at 7:00 pm at the community center.

**President Howard**- no comment

**Mayor Tait** reminded all that the Rt 130 Corridor meeting is this Wednesday at 7:00 pm via Zoom and invited everyone to attend.

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

**Resolution 2022-128, 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, Litigation**

Mayor Tait requested a motion to approve Resolution 2022-128. Mrs. Russell made a motion to approve Resolution 2022-128. President Howard second the motion.

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

**INFAVOR: Dr. Cloud, Ms. Latimore, Mrs. McCann, Mrs. Russell, President Howard**

**AGAINST: None**

Into closed at 8:06 pm

Out of closed at 8:50 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**

#### **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 8:51 PM

Doretha R Jackson, RMC

Municipal Clerk

Approved: June 20, 2022