

**CELEBRATING**  
**1923**                      **100 yrs.**                      **2023**  
**Borough of Palmyra**  
**Regular Council Meeting Minutes, 6:30 PM**  
**November 20<sup>th</sup>, 2023**

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: Dr. Laura Cloud, Natashia Latimore, John Liebe, Michelle McCann, Jessica O'Connor, Mayor Gina Ragomo Tait

ABSENT: President Timothy Howard

The Pledge of Allegiance was recited.

**OPEN PUBLIC MEETINGS STATEMENT**

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 13<sup>th</sup>, 2023.
- Mailing written notice to the Burlington County Times, and the Courier Post Newspaper on January 11<sup>th</sup>, 2023.
- Notice to All Council Members.

**APPROVAL OF MINUTES**

October 16, 2023 – Regular Council Caucus Meeting Minutes

Mayor Tait requested a motion for approval of the October 16, 2023, Regular Council Meeting Minutes.

Mr. Liebe made a motion to approve the minutes from the October 16, 2023, Regular Council Meeting. Ms. Latimore second the motion.

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

**INFAVOR: Ms. Latimore, Mr. Liebe, Mrs. McCann, Ms. O'Connor**

**AGAINST: None**

**Abstain: Dr. Cloud**

## **CORRESPONDENCE**

Municipal Clerk Jackson acknowledged the following correspondence received.

Letter from Brad Harrington, State of NJ Administrator- Neighborhood Programs Unit

Letter of Resignation from Al Zimmermann, Chief Palmyra Fire Department

Mayor Tait requested a motion to accept Mr. Zimmermann's letter of resignation.

Dr. Cloud made a motion to accept Mr. Zimmermann's letter of resignation. Mrs. McCann second the motion.

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

Mayor Tait thanked Mr. Zimmermann for all the work he has done.

## **REDEVELOPMENT**

### Rt. 73 South Redevelopment Area- Update

Mr. Gural stated the Department of Environmental Protection has chosen Palmyra and our redevelopment project to roll out their Brownfield development area expansion program for the State of New Jersey. Mr. Gural noted we will be hosting a seminar on December 7<sup>th</sup>, 2023, at Palmyra Cove for the rollout of the State Brownfield Development expansion program. Mr. Gural noted the need to discuss the Borough's acceptance of the 31-acre parcel in the redevelopment area, noting there are some concerns regarding potential contamination. Mr. Gural stated the Fair Share Plan and Housing Element is on the agenda for the Borough acceptance, noting that the Land Use Board approved/accepted it and incorporating it into the Master Plan at their last meeting. Mr. Gural indicated there are memos in the packet regarding conversations from Conifer regarding potential contamination on their parcel. Mr. Gural noted the International Council of Shopping Centers Conference being held in May of 2024. Mr. Gural stated that the Borough should have a contingent to attend that conference as exhibitors to attract companies to the Borough as we begin the third phase of the redevelopment project, the highway frontage parcels.

Mr. Rosenberg indicated that he and Mr. Brewer were asked by PURE to add to our pollution liability policy the new owner to be of the affordable housing parcel. Mr. Rosenberg stated that Conifer is the redeveloper of the affordable housing parcel and Palmyra Rt 73 LLC is going to be the owner along with its investors. Mr. Rosenberg stated that they requested to be named co-owners on our pollution policy. Mr. Rosenberg stated the policy is for 10,000,000.00 and is to protect the Borough in the event there is some environmental liability associated with the redevelopment area including after the remediation. Mr. Rosenberg indicated the policy is being paid for by the redeveloper. Mr. Rosenberg indicated Mr. Brewer will gather additional information to help with Council decision as to how to proceed.

Mr. Rosenberg stated that the Borough, under the settlement agreement with Fair Share Housing, was obligated to come up with 7.5 million dollars, not our money, but unconditional gifts from the redeveloper and various entities. Mr. Gural noted it was a required condition of the agreement with

Fair Share Housing, so the Borough would not have to adopt a resolution committing unlimited funds to the construction of the affordable housing units. Mr. Rosenberg noted that the Borough authorized thru various resolutions that the funds would be remitted to the affordable housing redeveloper. Mr. Rosenberg indicated that the affordable housing redeveloper, Conifer asked that the funding, instead of a gift, be given in the form of a loan with the loan being secured by a mortgage held by the Borough. Dr. Cloud asked what the benefit and or risk would be. Mr. Rosenberg indicated there was no benefit to us. Mr. Brewer stated it was to help move the project and to assist the redeveloper with their financing of the project. Mr. Liebe asked if taking on the property as collateral causes a liability for the Borough. Mr. Rosenberg stated the Borough would be a secure party and will not have an ownership interest, so there would be no liability.

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

Mr. Gural and Mr. Brewer indicated they had nothing new to report.

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

Mr. Gural and Mr. Brewer indicated they had nothing new to report.

### **PROFESSIONAL UPDATES**

Andrew Brewer, Maraziti, Falcon, LLP Mr. Brewer indicated he had nothing additional to report.

William Kirchner, ERI

Mr. Kirchner went over the resolutions on the agenda for approval. Mr. Kirchner thanked the Council for attending the award ceremony at the New Jersey League of Municipalities, where he and Environmental Resolution Inc. where awarded the Certified Municipal Engineers Project of the Year Award for the Temple Boulevard and Firth Avenue engineer project.

### **PUBLIC COMMENT**

Mayor Tait asked anyone wishing to make a comment to sign in at the podium and state their 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. Dr. Cloud made a motion to open to the public portion for comments. Ms. Latimore second the motion.

**Mr. Orfe – Memorial Avenue** – Mr. Orfe indicated he was a lifelong resident of Palmyra and had not had much involvement in our municipal government. Mr. Orfe indicated he was trying to get informed about how the Borough is structured and who oversees what aspects of the government and how the Borough makes decisions. Mr. Orfe indicated the Borough website was hard to navigate so he had to call the Borough. Mr. Orfe noted that Palmyra is a weak Mayor strong council government. Mr. Orfe stated the Borough Administrator is responsible for personnel, purchasing procedures for all Borough offices, recommends policies for the borough, assists in preparation of the budget, and manages day-to-day operations of the Borough. Mr. Orfe indicated that was the information he found on the website regarding that position. Mr. Orfe stated he felt there should be a better description of the position, who

is in the position and how the Borough came about it. Mr. Orfe stated knowing the process to appoint an administrator each year should be something available to the public. There was some additional discussion and Mayor Tait stated that if Mr. Orfe wanted additional information, he was free to call her, and they could have a discussion regarding any information he wanted to get. Mr. Orfe stated he was making s statement indicating it was hard for him to figure out how the position was appointed, why the position is a yearly appointment and the only thing he could find in the minutes was the resolution to propose it and the resolution to appoint it. Mr. Orfe stated it was hard to figure out what value the administrator was bringing to the community. There was some additional discussion and Mr. Gural indicated that if a statement was made that is inaccurate, he would correct it, noting that a number of Mr. Orfe’s statements were inaccurate.

**Mrs. Nowicki- Morgan Avenue** – Mrs. Nowicki stated she had lived in Palmyra for many years. Mrs. Nowicki indicated that some of the things Mr. Orfe asked for, like performance evaluations, are private and they are not able to go on record. Mrs. Nowicki stated that when Mr. Gural was appointed the position was advertised as are all positions available in the Borough. Mrs. Nowicki stated that she was not aware of the number of people who applied however did know there were some concerns about him not having the appropriate certificates however he had the experience council felt was necessary, the knowledge of the Borough and they chose to appoint him with the understanding they he would meet certain requirements within the time specified. There were some additional discussions.

**Mrs. Veitenheimer Rowland Street** – Mrs. Veitenheimer asked where the 7.5 million came from. Mr. Gural indicated the primary source of the funds was the redeveloper fee. Mr. Rosenberg indicated some of the funding was from other sources as well. Mrs. Veitenheimer indicated that the information on the website is unclear regarding the leaf pick-up. Mr. Gural indicated he would look at it.

Seeing no one else wishing to make a comment, Mayor Tait asked for a motion to close to the Public for comments Dr. Cloud made a motion to close the public portion for comments. Mr. Liebe second the motion.

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

## RESOLUTIONS

Resolution **2023-252 thru** and Resolution **2023-267** 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 for additional discussion. Dr. Cloud requested resolution 2023-267 be removed for additional discussion. Mayor Tait read the following resolutions into the record:

**Resolution 2023-252**, Resolution to Affirm the Borough of Palmyra’s Civil Rights Policy with respect to all Officials, Appointees, Employees, Prospective Employees, Volunteers, Independent Contractors, and members of the public that come into contact with Municipal employees, Officials, and Volunteers.

**Resolution 2023-253**, Resolution Authorizing the Refund of Fire Inspection Fees Charged for 3095 Harbour Drive Block 153.24 Lot 3095 to Ladonna Desouza in the amount of \$45.00.

**Resolution 2023-254**, Resolution Awarding a Non-Fair and Open Contract to GT Mid-Atlantic for Parts for the Case 321 per Quotation #PQT046764

**Resolution 2023-255**, Resolution Authorizing the Chief Financial Officer to make Budget Transfers to the 2023 Municipal Budget in the amount of \$107,432.63.

**Resolution 2023-256**, Resolution Authorizing the cancellation of Taxes for a Totally Disabled Veteran at Block 50 Lot 6 for tax year 2023 and thereafter and refunding \$5,187.22 of taxes previously paid.

**Resolution 2023-257**, Resolution Awarding a contract to Barlow Chevrolet for the Purchase of a 2023 Utility Truck in the amount of \$94,833.68 per the Recommendation of Award letter dated October 24, 2023, from Environmental Resolution, Inc.

**Resolution 2023-258**, Resolution Approving a one (1) year contract extension with WindRiver Environmental, LLC dba FRANCO Environmental for the 2023 Transportation and Disposal of Sludge Contract for the Borough's Sewer Plant

**Resolution 2023-259**, Resolution Authorizing the Appointment of Michael Stokes as Fire Department Chief and Richard Dreby as Fire Department Deputy Chief for the Borough of Palmyra Fire Department

**Resolution 2023-260**, Appointing Tracey McGill as Part-Time Municipal Court Violations Clerk Retroactive to November 6, 2023, at the rate of \$32.00 per hour not-to-exceed 25 hours per week.

**Resolution 2023-261**, Resolution Authorizing the Payment of November 2023 bills in the amount of \$2,099,166.81.

**Resolution 2023-262**, Resolution of the Borough of Palmyra Adopting the Revised and Amended Personal Policies and Procedures Manual and Supervisory's Supplement Dated November 20, 2023, with a new Effective Date of November 20, 2023

**Resolution 2023-263**, Resolution Approving the Loan of \$7,500,000.00 from the Borough of Palmyra to Rt. 73. LLC from funds on deposit in the Borough's Affordable Housing Trust Fund and to Execute certain documents to Effectuate the above

**Resolution 2023-264**, Resolution Authorizing the Borough of Palmyra to Apply to the New Jersey Department of Community Affairs (NJCA) for a FY 2024 American Rescue Plan Firefighter Safety Program Grant

**Resolution 2023-265**, Authorizing Refund of Taxes paid in error on Block 54 Lot 3 in the amount of \$4,134.10 to Judith Koehler

**Resolution 2023-266**, Resolution Endorsing the Housing Element and Fair Share Plan

Mayor Tait asked for a motion to approve **Resolutions 2023-252 thru Resolution 2023-266**. Dr. Cloud made a motion to approve **Resolutions 2023-252 thru Resolution 2023-266**. Ms. O'Connor second the motion.

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

**INFAVOR: Dr. Cloud, Ms. Latimore, Mr. Liebe, Mrs. McCann, Ms. O'Connor**

**AGAINST: None**

**Motion carried. Resolutions 2023-252 thru Resolution 2023-266 were approved.**

**Resolution 2023-267**, Resolution Authorizing a Purchase exceeding \$15,000.00 of Body Camera Equipment in the Total amount of \$107,755.50 under NJ State Contract #17-FLEET-00738 and Awarding a Contract to Axon Enterprise, Inc of Scottsdale, Arizona per quote dated 11/13/2023.

Dr. Cloud asked why the resolution read contract exceeding \$15,000.00 what is the reason. Mr. Gural explained that the Borough as an internal rule which requires every capital purchase that exceeds the amount of \$15,000.00 must go back to council for final approval, meaning that just because it is approved in the capital budget doesn't mean you have approval to purchase it, it must be brought back to council for final approval to purchase.

Mayor Tait asked for a motion to approve **Resolutions 2023-267**. Dr Cloud made a motion to approve **Resolutions 2023-276**. Mrs. McCann second the motion.

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

**INFAVOR: Dr. Cloud, Ms. Latimore, Mr. Liebe, Mrs. McCann, Ms. O'Connor**

**AGAINST: None**

**Motion carried. Resolution 2023-267 was approved.**

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

Mayor Tait requested a motion to approve the Treasurer's Report for October 2023. Mr. Liebe made a motion to approve the Treasurer's Report for October 2023. Ms. Latimore second the motion.

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

#### **PUBLIC EVENTS**

Mayor Tait noted the following upcoming events:

Virtua Mobile Grocery Store will be in on Thursdays from 2:00 pm to 3:30 pm

Tree Lighting December 1<sup>st</sup>, 2023, in Chief Payton Flournoy Park at 7:00 pm

Holiday House Decorating Contest noting additional information can be found on the website.

Cat chipping at Palmyra Harbour from 1-4 pm on December 2<sup>nd</sup>, 2023, at the cost of \$15.00 per pet.

#### **DISCUSSION ITEMS**

Lt. Murphy indicated that their Class One did not meet the requirement to attend the police academy in January so he will be continuing as a Class One officer for the time being.

Dr. Cloud asked what the amount was for the donation to the senior's group and if funding was being given in this calendar year. Mr. Gural indicated that the agreement with the senior's group is for donations in 2024, 2025, and 2026, nothing in 2023.

Dr. Cloud stated the Green Team asked that the Environmental Resources Inventory and Water Conservation Ordinance be placed on the agenda as they are actions that will help the Borough get their bronze or silver community designation. Dr. Cloud indicated that the Environmental Resources Inventory is something which will require a consultant to do, so they are going to try to work with Riverton to see if it come be completed together. Dr. Cloud indicated the Water Conservation Ordinance draft needs to be reviewed by Mr. Rosenberg and then the council can discuss it. Mr. Gural agreed.

Mr. Gural stated that one application was received for the Police Chief Position which the clerk forwarded to the public safety committee, Mr. Rosenberg, and him. Mr. Gural indicated that the next step is for the public safety committee to review and make a recommendation to the governing body. Mr. Gural indicated that he intends to notify Republic Inc. that we intend to take over collections in Zone one, the second ASL trash truck is scheduled to be delivered about December 15, 2023.

Mr. Gural stated that a meeting is being held tomorrow regarding the riverbank erosion in the Riverfront with Army Corp of Engineers and Donald Norcross's office.

Mr. Gural stated that there was a partial collapse in the floor of the firehouse, noting that we had offered assistance with engineering, inspections, and recommendations. Mr. Gural noted that they are responsible for the upkeep of their building, but we have offered to help. Mr. Gural stated that when additional information becomes available, he will forward it to the council.

#### **ADMINISTRATORS REPORT**

Mr. Gural explained the requirement of the entire governing body and Land Use Board attending the Stormwater Management Education and Training. Mr. Gural noted he would send it out to the governing body.

Mr. Gural asked the governing body what date the 2024 Reorganization meeting would be held. Mayor Tait indicated it would be January 5<sup>th</sup>, 2024, at 4:00 pm in Boro Hall.

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

**Dr. Cloud-** Dr. Cloud stated she attended the NJ League conference and attended a meeting about downtown improvements and revitalization and the shopping center convention was mentioned. Dr. Cloud noted that they recommended that you have a broker as the conference was hard to network as a town and bring in the types of relationships that are necessary to bring in the right types of businesses. Mr. Gural stated that he believed that PURE had a broker that we may wish to partner with. Dr. Cloud also stated that a neighbor asked her about the newsletter that the Borough used to publish. Mr. Gural indicated that it was a huge undertaking and costly and we were unable to maintain it. Dr. Cloud suggested that perhaps it along with Facebook could help with getting information out to residents. There was some additional discussion. Ms. O'Connor noted that she intended to start an official councilperson Facebook page, noting that she felt it was a way to engage the people and

comments on Palmyra friends and neighbors and River Towns and Palmyra NJ 08065. Mrs. McCann stated that was a huge undertaking. Mr. Gural stated that you should be appointed to that and not just undertake it ad hoc and make it a committee. There was some additional discussion.

**Ms. Latimore**- No comment

**Mr. Liebe** – Mr. Liebe asked about the pedestrian crossing at Morgan and Highland Avenues. Mr. Gural stated that we won the funding last year, however the State has not yet advanced the project.

**Mrs. McCann**– No comment

**Ms. O'Connor** – Ms. O'Connor asked Mr. Gural if he knew when the bike & pedestrian planning study would be complete Mr. Gural indicated he did not.

**President Howard** – no comment

**Mayor Tait** –Mayor Tait indicated she had no further comments.

Mayor Tait asked Mr. Rosenberg if there were items for the closed session. Mr. Rosenberg indicated no.

## **ADJOURNMENT**

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

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

Meeting adjourned at 8:04 PM

Doretha R Jackson, RMC

Municipal Clerk

Approved: December 4, 2023