

Palmyra Borough Council Meeting
Tuesday October 9, 2018
7:00 PM

Borough Council Vice-President Carissa Mellinger called the meeting to order at 7:00 PM in Council Chambers of the Palmyra Municipal Center, located at 325 S. Railroad St. Other Council members in attendance included Don Barry, Josh Holl, Jane Quairoli, and Joe Templin. Also in attendance were Borough Manager Roger Powl, Assistant Borough Manager Brenda Pera, Mayor Fred Carpenter and Chief Stan Jasinski. Beth Shearer was absent from the meeting.

Special Visitors

Phil Civello – owner of 126 S. Grant Street was present to request Council reimburse him for a \$1,102 plumbing bill from Hess Mechanical for damage suffered to his lateral during construction of the Cherry Street Stormwater Project by Ankiewicz Enterprises. Eric Ankiewicz has agreed to pay the property owner, but no payment has been received since May. Mr. Powl commented that the Borough Solicitor advised that the Borough can recoup the costs by withholding them from the final payment request.

Motion: To reimburse Mr. Civello in the amount of \$1,102 for damages done by Ankiewicz Enterprises to his property located at 126 S. Grant Street. The Borough will recoup the costs by withholding this amount from the final payment. Motion by Jane Quairoli, second by Don Barry. Motion passed.

Public Comment Period #1

- Barry Rhoads, 718 W. Walnut Street, inquired as to when his street would be paved.
- Greg Reed, 233 E. Hazel Street, inquired as to when the paving contract for 2018 would begin.
- Clair Hall, 735 E. Cypress Street, shared comments about the management staff.

Consent Calendar

The following agenda items were acted upon by a single motion:

- a. Approve the minutes of the September 25, 2018 Borough Council meeting.
- b. Approve payment of all bills listed on the September 2018 Bill's List.

Motion: To approve the consent calendar. Motion by Carissa Mellinger, second by Joe Templin. Motion passed.

Action Items

- a. Council Vacancy: Vice-President Mellinger announced the names of four candidates that have expressed a desire to serve on Council. The candidates are as follows:
 - Bob Dailey – 109 W. Orchard Drive
 - Michael Finn – 312 W. Orchard Drive
 - Gary Laudermilch – 30 W. Ridge Road
 - Tom Miller – 306 W. Walnut Street

There were no other candidates. Bob Dailey was not in attendance.

Vice President Mellinger informed the three candidates that Council would conduct individual interviews and advised each that they cannot be required to leave the room but Council's preference is that they would leave the room so each candidate doesn't have an advantage over the other.

Mr. Laudermilch was interviewed first, Mr. Miller was second, and when it came time for Mr. Finn it was discovered that he had left the building.

Vice-President Mellinger called for nominations. Councilor Barry nominated Tom Miller. Councilor Quairoli nominated Gary Laudermilch. Vice-President Mellinger called for a roll call vote. Since Mr. Miller was nominated first, a roll call vote for his nomination was conducted.

Nomination for Tom Miller:

Councilor Barry	-	Yes
Councilor Holl	-	No
Councilor Mellinger	-	Yes
Councilor Quairoli	-	No
Councilor Templin	-	Yes

Mr. Miller received the majority vote and was selected to fill the vacant position.

Upon signing the Affidavit of Residency, Mr. Miller questioned whether his temporary work assignment in Canada this past year would disqualify him from serving. Council asked Mr. Powl to seek clarification from the Solicitor. No further action was taken on the appointment.

b. Ordinance #789 - Motor Vehicles & Traffic Regulations Update:

Motion: To authorize the Borough Solicitor to prepare and advertise Ordinance #789, an ordinance updating the following regulations:

- *Section 350-26 (Special Purpose Parking Zones):*
 1. *Add – 100 N. Chestnut Street – West side – Parking for Handicap*
 2. *Add – 27 N. Harrison Street – West side – Parking for Handicap*
 3. *Add – 727 E. Oak Street – North side – Parking for Handicap*
 4. *Remove – 28 S. Locust Street – East side – Parking for Handicap*
 5. *Remove – 115 N. Lincoln Street – West side – Parking for Handicap*
- *Section 350-27 & 350-31 (Street Sweeping):*
 1. *Combine into one Section and stipulate sweeping to be conducted from April through September.*
- *Section 350-35 (Snow Emergency Routes):*
 1. *Remove N. College Street – East & West – From Main Street to W. Broad Street.*

Motion by Jane Quairoli, second by Don Barry. Motion passed.

c. Ordinance #790 - Stormwater Management Ordinance Language Review – Section 310-16.A(7):

Council discussed the issue of amending the stormwater management ordinance language to clarify fencing requirements for new stormwater detention basins. Mr. Powl mentioned that recommendations from the Borough Engineer were not received in time for the meeting, so Council opted to table this issue until more information became available.

d. Road Closure Request - Palmyra High School Sports Championship Victory Firetruck Parades:

Motion: To authorize the closure of the roads necessary to accommodate the following victory firetruck parade route for possible 2018 PIAA District or State Championships won by Palmyra athletics on the following dates & times:

- *Field Hockey:*
(District 3 Class 2A Championship) - Saturday 11/03/18 from 5:00-7:00 p.m. (depending on time of the championships)
- *Boys/Girls Cross Country:*
(District 3 Class 3A Championship) – Saturday 10/27/18 from 5:00-7:00 p.m. (depending on time of the championships)

(State Championship) – Saturday 11/03/18 from 5:00 – 7:00 p.m. (depending on time of the championships)

- *Girls Volleyball:
(District 3 Class 3A Championship) – Sunday 11/04/18 from 2:00-4:00 p.m.
(State Championship) – Saturday 11/17/18 from 7:00-9:00 p.m., or, Sunday 11/18/18 from 2:00-4:00 p.m.*

Parade Route: Beginning at Middle School Front Circle; left onto W. Cherry St; right onto Horstick Ave; right onto Main St. (US422); right onto S. Green St.; right onto E. Maple St.; left onto S. Railroad St.; right onto W. Walnut St.; right onto S. Locust St., ending at Middle School Back Parking Lot.

Motion by Jane Quairola, second by Carissa Mellinger. Motion passed.

Reports

- a. President's Report: Vice-President Mellinger did not have anything to report.
- b. Financial Report:
 1. Financial Statement: Mr. Powl provided a copy of the September 2018 report.
 2. Delinquent Sewer & Refuse Account Report: Ms. Pera provided a copy of the September 2018 report.
- c. Fire Department: President Andy Braden reported that the October 7th open house was a success and they estimated 400 people attended.
- d. Police Department: Mayor Carpenter did not have anything to report.
 1. Police Chief Search Update: Mr. Powl reported that 20 applications were submitted, and Safe Cities Solutions, LLC is working to rank each applicant based on experience. Once completed, the top 10 applicants will be moved on to Phase 2 of the process, which includes written answers to questions, and short video answers to questions by each applicant. The top 6 will then move on to Phase 3, which is a live observable "table-top" type exercise. Finally, the top 3-4 candidates will be interviewed by Borough Council to select who will be hired as the next Chief.
- e. Planning Commission - Subdivision & Land Development Plans: The Commission did not meet this month. The next scheduled meeting is Wednesday, November 7, 2018 beginning at 7:00 PM.
Mr. Powl reminded Council that they still need to find a replacement for Jim Hartman, who moved to North Londonderry Twp.
- f. Public Works Department: Borough Manager Powl
 1. Superintendent's Monthly Report: Mr. Powl provided a copy of the September 2018 report.
 2. Borough Properties:
 - a. 325 S. Railroad Street - Municipal Building: There was nothing to report.
 - b. 910 E. Broad Street - Public Works Facility: There was nothing to report.
 - c. 40 E. Front Street - Vacant Lot: Soil probes for the environmental study were scheduled for October 9th & 10th by RETTEW.
 3. Parks: (Heritage Park, Palmyra Memorial Park, and Southeast Park)
 - a. Memorial Park Project Update: Ms. Pera announced that all the proposals for park upgrades have been signed by the Bowman Trust Committee and submitted to the contractors.

8. **Street & Alley Maintenance:** Mr. Powl reported that paving contractors are behind in jobs due to the weather. He does not anticipate the Borough's paving contract to be completed until next spring.

- g. **Solicitor's Report:** (Josele Cleary, Esq. - Morgan, Hallgren, Crosswell & Kane PC). There was nothing new to report.

- h. **Zoning & Codes Enforcement:**
 1. **Zoning Officer/Codes Enforcement Officer Report:** Mr. Powl provided a copy of the September 2018 report.

 2. **Zoning Hearing Board:** There are no hearings scheduled for October.

- i. **Borough Manager's Report:**
 1. **2019 Draft Budget:** Mr. Powl reported that he prepared two draft budget versions as requested, however, he had to complete the charts with his assumptions instead of hard numbers due to it being too early in the season to have received the hard information. For example, he increased health insurance rates by 6.2% because that is the expected national average. The Borough will receive its health insurance renewal rate this week so, he advised that trying to have a draft budget worthy of discussion this early in October really isn't feasible.

Holiday Schedule: Mr. Powl explained that Staff would like to consider swapping the Columbus Day holiday for Day After Thanksgiving? He explained that the past few years the office has been dead on the day after Thanksgiving, it's a scheduling issue because everyone wants off, and more and more municipalities are closing on this day. He asked the Police Association for their opinion, and they voted against swapping the holidays. Mr. Powl explained that the Police holidays are specified in their contract, and while it would be convenient if all employees would follow the same holiday schedule, there is no reason the non-uniform holiday schedule couldn't be adjusted by Council. Council agreed to the requested change.

Other Business

- Councilor Quairola announced that she will be attending the Lebanon County Convention of Township Officials on October 11th.

Public Comment Period #2

- Clair Hall, 735 E. Cypress Street, asked the Mayor to include CBS-21, Fox 43, and WGAL Channel 8 about the contractor working at the 300 block of East Cherry St.

- Kevin Fuhrman, 734 E. Cypress Street, inquired why the Borough wants to contract refuse service rather than letting the residents choose their own hauler.

At 8:53 p.m. Vice-President Mellinger asked for a motion to continue the meeting on Wednesday, October 10, 2018 at 5 PM to discuss the appointment of Mr. Miller to the council vacancy that needs to be filed by October 11th, and to discuss any other business that comes before Council. Councilor Templin announced that he will be out of town and will be unable to attend the next two nights.

Motion by Jane Quairola, second by Josh Holl. Motion passed.

Palmyra Borough Council Meeting
Wednesday, October 10, 2018
5:00 PM

Borough Council Vice-President Carissa Mellinger reconvened the Wednesday October 9th meeting at 5:00 PM in Council Chambers of the Palmyra Municipal Center, located at 325 S. Railroad St. Other Council members in attendance included Don Barry, Josh Holl, and Jane Quairola. Also in attendance

were Borough Manager Roger Powl, Assistant Borough Manager Brenda Pera, and Mayor Fred Carpenter. Beth Shearer and Joe Templin were absent.

Public Comment Period

- Robert Dailey, 109 W Orchard St, informed Council that he did not know he had to be at the meeting on Tuesday evening, but he would not have been available to attend anyway since he was attending to a medical emergency for his newborn grandson.

Action Items

a. Council Vacancy:

Mr. Powl provided a letter prepared by Bill Crosswell, a partner in the Borough Solicitor's firm, who was substituting for Borough Solicitor Josele Cleary, who was on vacation. Mr. Crosswell found case law dating back to 1961 that determined that a person being "deployed" as part of their work function but, always maintaining their permanent home address constitutes "residency" as required by the Borough Code, therefore, Mr. Miller is able to legally serve as a representative on Borough Council.

1. Resolution #2018-29 – Appoint Member to Borough Council:

Motion: To approve Resolution #2018-29, a resolution appointing Thomas F. Miller – 306 W. Walnut Street as a member of Borough Council to serve the remainder of the term vacated by the resignation of Mark Smith, expiring the first Monday in January 2020. Motion by Carissa Mellinger, second by Don Barry. Motion passed.

b. Road Closure Request – North Chestnut Street Pumpkin Palooza:

Motion: To approve the road closure of Division Street between North Chestnut Street and North Shellbark Alley on Saturday October 20, 2018 from 12:00 PM to 8:00 PM. Motion by Jane Quairoli, second by Carissa Mellinger. Motion passed.

Other Business

There was no other business.

Announcement

Vice President Mellinger reminded everyone that Borough Council will conduct its next public meetings on Tuesday, October 23, 2018, and Tuesday, November 13, 2018 beginning at 7:00 PM.

Motion to Adjourn

A motion to adjourn was offered by Josh Holl, second by Don Barry. The meeting adjourned at 5:10 PM.

Mr. Miller signed his Affidavit of Residency and took the Oath of Office from Mayor Carpenter after the meeting.

Respectfully submitted,

Roger E. Powl
Borough Manager