

Palmyra Borough Council Meeting  
November 25, 2014  
7:00 PM

Borough Council President Jane Quairoli called the meeting to order at 7:00 PM in Council Chambers of the Palmyra Municipal Center, located at 325 S. Railroad St. Council members in attendance included Pat Hennessy, Bob Longenecker, Beth Shearer, Brian Craig, Gary Laudermilch, and Joe Templin. Also in attendance were Mayor Fred Carpenter, Police Chief Stan Jasinski, Borough Manager Roger Powl, and Assistant Borough Manager Brenda Pera.

Public Comments

- Bill Zeiders, 333 E. Main Street, asked Council to consider expanding the business district one block north and south of Main Street in order to eliminate skateboarders from riding on sidewalks. He also requested a change to the skateboard ordinance to include manually operated scooters. He complained that the police department does not respond to calls and called for retirement of the police management team. He also asked for a change in internal procedures to eliminate the Lt. from giving orders and then reviewing complaints about the orders that he issued, which he believes it to be a conflict.
- Jill Laudermilch, 645 E. Walnut Street, questioned why the Treasurer position was still in the budget because she should have fulfilled her obligation at this time. She also inquired about the boot allowance for the highway department, and questioned the Borough Manager’s delegation abilities since he has accumulated so much comp. time for the year.
- Roy Gingrich, Mallard Point Drive, Palmyra, shared his appreciation for the police force, asked Council not to extend the business district one block north and south of Main Street, and complained about all the cars parked on the west side of the first block of North Harrison Street.
- Tom Wood, President of Citizens Fire Company, thanked the Council for considering the new fire station in the budget. He also informed Council that one of the corners of the existing firehouse is experiencing a structural deficiency that will require an emergency repair that will cost approximately \$10,000.

Consent Calendar

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

- a. Approve the minutes of the November 17, 2014 Borough Council Budget meeting.
- b. Approve the minutes of the November 10, 2014 Borough Council Workshop meeting.
- c. Approve the minutes of the October 28, 2014 Borough Council meeting with the following amendments: 1) correct a misspelled word on page 4 and 2) update Councilor Shearers comments under Other Business to reflect the complaint about drivers not observing the school zone speed limit.
- d. Approve payment of all bills listed on the October 2014 Bill’s List.
- e. Approve the Treasurer’s Report for the period October 1 through October 31, 2014:

	General Fund	Refuse Fund	Sewer Fund	Capital Reserve Fund	Liquid Fuels Fund
YTD Revenue	\$ 2,323,832	\$ 727,905	\$ 1,440,100	\$ 292,141	\$ 1,517,320
YTD Expenses	\$ 2,261,279	\$ 571,142	\$ 1,471,139	\$ 1,445,554	\$ 1,383,522
Difference	\$ 62,554	\$ 169,107	\$ (31,039)	\$(1,153,413)	\$ 133,798
Fund Balance	\$ 1,236,121	\$ 459,806	\$ 800,699	\$ 1,681,247	\$ 186,218

	Special Sewer Fund	Library Fund	Police Health Care Fund	Town Square Reserve Fund	Joint Fire Apparatus Fund
YTD Revenue	\$ 44,033	\$28,034	\$ 402	\$ 32	\$ 40,823
YTD Expenses	\$ 129,480	\$28,000	\$ 14,828	\$ 0	\$ 0
Difference	\$ (85,447)	\$ 34	\$ (14,426)	\$ 32	\$ 40,823
Fund Balance	\$ 2,227,249	\$ 732	\$ 144,819	\$ 12,218	\$ 201,653

*Motion: To approve the consent calendar with amendments to the October 28, 2014 minutes. Motion by Pat Hennessy, second by Gary Laudermilch. Motion passed.*

Action & Discussion Items

- a. 2015 Preliminary Budget Discussion: Council discussed various options for the budget. President Quairoli commented that she thought the new police vehicle was removed from the budget. Mr. Powl said that it wasn't clear that Council had requested the patrol car to be removed, and, he recommended that Council include the new police vehicle because they have already deferred purchasing a vehicle in 2014, therefore, the situation could develop where multiple vehicles will need to be replaced in a future single budget year. Chief Jasinski indicated that he believed that the replacement of the patrol car could be eliminated for 2015.

Councilor Shearer mentioned that the budget presented with the new fire house included will require a .48 mil tax increase which will allow the construction of a new fire house, cover the anticipated tax increase for the new Borough building & stormwater loan, fix the streets on East Cherry and South Grants Streets, study the recurring sinkhole on East Maple Street, and still have \$1.5 million remaining in the loan to put towards storm water improvements. Councilor Longenecker concurred.

*Motion: To authorize the Borough Manager to advertise the 2015 Preliminary Budget with the new fire house included, and to make the 2015 Preliminary Budget available for the required 10-day public review period pursuant to Section §1308(a) of the Borough Code in order for final consideration of the Budget to occur at the December 23, 2014 Borough Council meeting. Motion by Beth Shearer, second by Gary Laudermilch.*

*President Quairoli called for a roll call vote:*

*Brian Craig - No*  
*Pat Hennessy - No*  
*Gary Laudermilch - Yes*  
*Bob Longenecker - Yes*  
*Beth Shearer - Yes*  
*Joe Templin - No*  
*Jane Quairoli - No*

*The motion was defeated by a 4 – 3 vote.*

*Motion: To authorize the Borough Manager to advertise the 2015 Preliminary Budget without the new fire house included, and to make the 2015 Preliminary Budget available for the required 10-day public review period pursuant to Section §1308(a) of the Borough Code in order for final consideration of the Budget to occur at the December 23, 2014 Borough Council meeting. Motion by Pat Hennessy, second by Joe Templin.*

*President Quairoli called for a roll call vote:*

<i>Brian Craig</i>	-	<i>No</i>
<i>Pat Hennessy</i>	-	<i>Yes</i>
<i>Gary Laudermitch</i>	-	<i>No</i>
<i>Bob Longenecker</i>	-	<i>No</i>
<i>Beth Shearer</i>	-	<i>No</i>
<i>Joe Templin</i>	-	<i>Yes</i>
<i>Jane Quairoli</i>	-	<i>Yes</i>

*The motion was defeated by a 4 – 3 vote.*

Councilor Longenecker asked Councilor Craig why he voted no for both budgets. Councilor Craig responded that he didn't want to discuss his reasons in a public meeting and asked to discuss his reasons in an executive session. President Quairoli informed him that budget discussions need to be in a public meeting.

President Quairoli asked Mr. Powl what the tax increase would be without the new police vehicle. While Mr. Powl was calculating the millage, Councilor Craig called for an executive session to discuss personnel matters. President Quairoli suspended the meeting at 7:40 PM for an executive session in which Borough Manager Roger Powl and Assistant Borough Manager Brenda Pera were excluded from participating.

Council reconvened the meeting at 7:50 PM. President Quairoli announced that Borough Council just concluded an executive session to discuss personnel issues as permitted by the Pennsylvania Sunshine Act. Any official action resulting from discussions held during the executive session will occur at an open public meeting.

Mr. Powl apprised Council that the tax millage for no firehouse and no new police vehicle would be .14 resulting in a \$25 annual tax increase for the average assessed property.

*Motion: To authorize the Borough Manager to advertise the 2015 Preliminary Budget without the new fire house included and without the new police vehicle, and to make the 2015 Preliminary Budget available for the required 10-day public review period pursuant to Section §1308(a) of the Borough Code in order for final consideration of the Budget to occur at the December 23, 2014 Borough Council meeting. Motion by Beth Shearer, second by Gary Laudermitch.*

*President Quairoli called for a roll call vote:*

<i>Brian Craig</i>	-	<i>No</i>
<i>Pat Hennessy</i>	-	<i>Yes</i>
<i>Gary Laudermitch</i>	-	<i>No</i>
<i>Bob Longenecker</i>	-	<i>Yes</i>
<i>Beth Shearer</i>	-	<i>No</i>
<i>Joe Templin</i>	-	<i>Yes</i>
<i>Jane Quairoli</i>	-	<i>Yes</i>

*The motion was passed by a 4 – 3 vote.*

b. Ordinance #758 – 2015 Real Estate Tax Ordinance:

*Motion: To authorize the Borough Solicitor to prepare and advertise Ordinance #758, the 2015 Real Estate Tax Ordinance, to set the real estate tax rate pursuant to Section §1310.1 of the Borough Code for the Year 2015 at the following rates:  
Real Estate Tax = 2.20 mills; Public Library Tax = .006 mills*

*Motion by Pat Hennessy, second by Joe Templin. Motion passed by a 6 – 1 vote with Brian Craig voting against the motion.*

- c. Safety Manual: Councilor Laudermilch asked if the discussion on the safety manual could be delayed until the December 9<sup>th</sup> workshop meeting. Mr. Powl responded that it could, however, action will be needed at that meeting in order to meet the December 20<sup>th</sup> deadline. Council agreed to place this on the workshop agenda.

#### Reports

- a. President's Report: President Quairolì reported that the parade was very nice and thanked Beth Shearer for her efforts.
- b. Financial Statement: Council reviewed and discussed the financial statement as of October 31, 2014.
- c. Fire Services Commission: Did not meet this month.
- d. Library Board Report: Councilor Longenecker provided a copy of his report.
- e. Police/Mayor's Report: Mayor Carpenter presented the October 2014 Monthly Police Report.
  1. Civil Service Testing Update: Ms. Pera announced that the Police Chief has decided not to do background investigations on the top five candidates since Council did not authorize the hiring of a new officer.
- f. Planning Commission: Borough Manager Powl indicated that the Planning Commission recommended granting a 91-day extension to Lennard C. & Pamela J. Sheriff for their final subdivision plan at 521 & 523 W. Cherry St.

*Motion: To grant a 91-day extension from November 30, 2014 to February 28, 2015 for the review of the Sheriff Final Subdivision Plan. Motion by Pat Hennessy, second by Beth Shearer. Motion passed.*

Mr. Powl announced that the Planning Commission held an advertised public hearing to take public comment regarding the draft zoning ordinance, but no public attended the meeting. He mentioned that the next meeting is scheduled for Wednesday, December 3, 2014 beginning at 7:00 PM.

- g. Recreation Commission Report: Vice-President Hennessy provided a copy of the October 2014 report.
- h. Solicitor's Report: Mr. Powl provided a letter from Solicitor Cleary regarding liquidated damages for the Municipal Center Project. The letter outlined that the most the Borough would be eligible for is approximately \$30,000 and Council should be aware that a majority of the proceeds could be spent on legal fees in trying to acquire the damages. Council advised Mr. Powl to move forward with pursuing liquidated damages.
- i. Zoning Hearing Board: Mr. Powl announced the results of the Hearing Conducted on November 17, 2014 in which the application for the Cell Tower to be located at 843 W. Main Street was denied.
- j. Borough Manager's Report:
  1. New Municipal Building Project Status Update: Mr. Powl updated Council on the progress of the new municipal building. He highlighted that the masons worked on the John Palm rock, the landscaping is almost complete, the war memorial should be scheduled for return soon, and staff is continuing to work on the HVAC issues.

2. Cherry Street Project - Pennsy Supply Payment: Mr. Powl reported that Pennsy supply requested final payment on the Cherry Street project because they need to get this project off their books in 2014. Mr. Powl apprised Council that Tom Kotay, Lebanon County MPO, has worked with PennDOT to get this amount reimbursed to the Borough in 2015.

*Motion: To authorize payment in the amount of \$42,564.11 from the Liquid Fuels Fund to Pennsy Supply in order to close out the Cherry Street Project prior to the close of 2014. Pat Hennessy, second by Bob Longenecker. Motion passed.*

3. Sewer Pump Station #4 (College St & Campbelltown Rd) - NLT Upgrade Project Cost Transfer: Mr. Powl apprised Council that NLT performed upgrades to their pump station and according to a 1991 agreement signed by the Borough, the Borough is responsible for 20% of all costs related to this pump station. Unfortunately, NLT never told the Borough that they were performing upgrades, had the work completed, and sent the Borough a bill for the agreed upon 20%. Mr. Powl contact Gordon Watts, NLT Manager, and expressed his concern that upgrades were made without notifying the Borough so that the amount could be budgeted.

*Motion: To authorize the transfer of \$57,262.37 from the Special Sewer Fund to the Sewer Fund in order to reimburse the Sewer Fund for the expenses associated with the Sewer Pump Station #4 Upgrade Project completed by North Londonderry Twp during 2014, which was an unanticipated expense in the 2014 Budget. Motion by Pat Hennessy, second by Gary Laudermilch. Motion passed.*

#### Communications

President Quairoli referenced a letter dated 11/10/17 from Light-Heigel Associates seeking re-appointment as the Borough Zoning & Codes Enforcement Officer for 2015.

#### Other Business

- Councilor Hennessy announced that the tree lighting will take place at the Square on December 5, 2014 beginning at 6:45 PM. The North Side Elementary Chorus will be signing. Dennis Haines, along with other veterans, will be lighting the tree.
- President Quairoli expressed her dissatisfaction with Councilor Laudermilch and his action to walk out of the October 11, 2014 Council Workshop meeting upon the appointment of Brian Craig to Council. She also stated her disgust that Councilor Laudermilch commented to the newspaper that he was disgusted & embarrassed with Council at the same time he knowingly was being personally investigated by the Palmyra Police Department.

#### Announcement

President Quairoli announced that Borough Council will conduct a public workshop meeting on Tuesday, December 9, 2014 beginning at 6:00 PM and its regular monthly public meeting on Tuesday, December 23, 2014 beginning at 7:00 PM.

#### Motion to Adjourn

*Motion to adjourn by Pat Hennessy, second by Beth Shearer. The meeting adjourned at 8:16 PM.*

Respectfully submitted,

Roger E. Powl  
Borough Manager