

Palmyra Borough Council Meeting
February 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 Joe Templin, Bob Longenecker, Scott Mazzocca, Beth Shearer, and Pat Hennessy. Also in attendance were Mayor Fred Carpenter, Borough Manager Roger Powl, and Assistant Borough Manager Brenda Pera. Gary Laudermilch and Chief Stan Jasinski were absent from the meeting.

Announcements

President Quairoli announced that Borough Council held an executive session prior to tonight's meeting to discuss attorney client privilege matters and potential litigation 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.

Public Comments

- Maddie Reed, 221 E. Hazel Street, inquired on the duties of the highway crew during the winter since there is no grass to mow. She also asked if the CVS sidewalk closure issue was resolved. Mayor Carpenter informed her that closure of the sidewalk was approved in the final plan.
- The following individuals were in attendance to learn more about the sinkhole remediation on East Cherry Street:
 1. Jael Wolf, 301 E. Cherry Street
 2. Lori Nye, 307 E. Cherry Street
 3. Ed & Donna Dove, 306 E. Cherry Street
- David Warner, 36 Wickerberry Lane, North Londonderry Township, informed Council that he represents his wife and her partner in the Zoning application for 110 N. Chestnut Street. He filed an appeal of the Zoning Hearing Board's decision to deny the application in the Lebanon County Court of Common Pleas. He asked Council to support his appeal and allow the request to subdivide the property into two parcels.
- The following individuals were in attendance regarding Councilor Laudermilch's recommendation to change the first block of S. Windsor Avenue to one-way south.
 1. Daniel Gibson, 21 S Windsor Avenue – is not in favor of the move if parking is eliminated on one side of the street.
 2. Jason Latchford, 33 S. Windsor Avenue – does not favor the change, too many issues from the NAPA Auto Parts Store in the neighborhood and requested the Police Department increase their patrols in the area.
 3. Dale Weaver, 740 W. Main Street – adamantly opposed to changing the directional flow of South Windsor Avenue.
 4. Robert Keller – 759 W. Cherry Street – opposed the change to a one-way street.

Consent Calendar

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

- a. Approve the minutes of the February 11, 2014 Borough Council Workshop meeting.
- b. Approve the minutes of the January 28, 2014 Borough Council meeting.
- c. Approve the minutes of the January 6, 2014 Borough Council Reorganization meeting
- d. Approve payment of all bills listed on the January 2014 Bill's List.
- e. Approve the Treasurer's Report for the period January 1 through January 31, 2014:

	General Fund	Refuse Fund	Sewer Fund	Capital Reserve Fund	Liquid Fuels Fund
YTD Revenue	\$ 84,046	\$ 134,715	\$ 291,415	\$ 802	\$ 13
YTD Expenses	\$ 165,648	\$ 57,126	\$ 166,615	\$ 631,297	\$ 0
Difference	\$ (81,602)	\$ 77,589	\$ 124,800	\$(630,495)	\$ 13
Fund Balance	\$ 1,065,802	\$ 368,287	\$ 971,409	\$2,835,494	\$ 52,432
	Special Sewer Fund	Library Fund	Police Health Care Fund	Town Square Reserve Fund	Joint Fire Apparatus Fund
YTD Revenue	\$ 293	\$ 253	\$ 37	\$ 3	\$ 4
YTD Expenses	\$ 1,778	\$ 0	\$ 270	\$ 0	\$ 0
Difference	\$ (1,486)	\$ 253	\$ 270	\$ 3	\$ 4
Fund Balance	\$2,301,209	\$ 951	\$ 159,011	\$12,189	\$ 160,835

Motion: To approve the consent calendar. Motion by Pat Hennesy, second by Bob Longenecker. Motion passed.

Action & Discussion Items

- a. Asbestos Abatement Bid for Removal of Asbestos from the Existing Municipal Center:
Motion: To award a contract in the amount of \$45,890.00 to Conservative Environmental Services, Inc., Mechanicsburg, PA for the removal of asbestos materials and mercury electronic ballasts from the existing Municipal Center prior to its demolition. Motion by Pat Hennesy, second by Beth Shearer. Motion passed.

- b. Resolution #2014-15 - Disposal of Borough Property via Internet Auction:
Motion: To approve Resolution #2014-15, a resolution authorizing the sale of Borough owned property through the use of an online or electronic auction sale. Motion by Pat Hennesy, second by Scott Mazzocca. Motion passed.

- c. Resolution #2014-16 - Transfer of Budget Funds Necessary for Police Computer System Replacement:
Motion: To approve Resolution #2014-16, a resolution to reduce the planned budgeted transfer of year end surplus funds from the General Fund to the Capital Reserve Fund, shown on line item 01.492.030 by the amount of \$29,360, and, to transfer that reduction to line item 01.410.452 (Contracted Computer Services) of the General Fund in order for the Police Department's computer system to be replaced and maintained. Motion by Pat Hennesy, second by Beth Shearer. Motion passed.

- d. Construction of New Firehouse – Mr. Powl informed Council that the Borough cannot put the new building out for bid using the current concept plan because it does not provide the level of detail necessary for a contractor to determine a bid price. Mr. Powl spoke with Denny Sowers, of SGS Architects, who attended the Fire House Design Committee meetings and prepared the concept design renderings, and he said he will put an itemized proposal together for the cost to prepare the necessary set of construction design drawings, the design specification book, bid documents, bid document review, construction management, etc. This step will take the project from the current point to the final punch list items to be completed at the conclusion of construction. He estimated the cost at approximately \$200,000 – 250,000. This cost will be necessary whether the municipalities or the fire company bid and build the new fire station.

The other issue of concern was the increase of project costs due to the requirement of using prevailing wage rates on a public construction project. The costs were projected to increase up to 25%.

After lengthy discussion, Council agreed that they were not in favor of owning the firehouse.

Reports

- a. President's Report: President Quairola did not have a report, but informed staff that she really liked the updated website.
- b. Financial Statement: Council reviewed the financial statement from January 2014.
- c. Fire Services Commission Report: Did not meet this month
- d. Library Board Report: Councilor Longenecker provided a copy of his report.
- e. Police/Mayor's Report: Mayor Carpenter provided a copy of his report. He also informed Council that he will be meeting with the County EMA office to discuss the deactivation of the fire siren.
- f. Planning Commission: Borough Manager Powl
 1. Lennard C. & Pamela J. Sheriff Final Subdivision Plan: Mr. Powl informed Council that the Sheriff's were in agreement to a time extension on their plan submittal.

Motion: To accept the granting of a time extension until May 30, 2014 for the review of the Lennard C. & Pamela J. Sheriff Final Subdivision Plan, in order for the applicant to obtain a necessary variance from the Palmyra Zoning Hearing Board; to address all outstanding comments from: the Borough Engineer's review letter dated 1/29/14; the Borough Solicitor's letter dated 1/14/14, and; the Borough Zoning Officer's letter dated 1/14/14, and; to enable resubmission of a revised plan accompanied with written requests for any waivers needed from the Palmyra Subdivision & Land Development Ordinance. Motion by Pat Hennessy, second by Scott Mazzocca. Motion passed.

- g. Recreation Commission Report: Mr. Powl indicated that he did not receive a copy of the Rec Commission Report for distribution. Vice-President Hennessy will make sure a copy is received.
- h. Solicitor's Report: Solicitor Cleary filed the necessary paperwork regarding the Warner Appeal of ZHB Decision (110-112 N. Chestnut St).
- i. Zoning Hearing Board: Mr. Powl provided the results of a hearing conducted on Monday, February 10, 2014 regarding 616 W. Main Street - Conversion of Brethren in Christ Church to assisted living facility:

- Granted Special Exception (Sec. 7.01.N(1)) approving the use of an assisted living facility; conditioned on the prohibition of the adjacent parking lot located on the south side of South Ave being sold and conveyed as a separate lot while the assisted living facility use is in operation.
- Granted Variance (Sec. 14.04.B(1) - Landscape Buffer Areas).
- Granted Variance (Sec. 14.04.B(3) - Parking Lot Perimeter Plantings); conditioned on perimeter plantings being planted on the east side of the existing parking lot in a direction north to south.
- Granted Variance (Sec. 14.04.B.4(a) - Screen Plantings for Parking Lots Containing Greater than Ten Parking Spaces).
- Granted Variance (Sec. 14.04.B.4(b) - Screen Plantings for Walls over 75-feet in Length Facing Westerly, Southwesterly, or Northwesterly).
- Granted Variance (Sec. 15.09 - Loading & Unloading Spaces); conditioned on the removal of the two existing handicap parking spaces located on the south side of South Ave and converting them into a designated loading/unloading zone space.
- Granted Variance (Sec. 15.10 - Illumination of Parking Areas); conditioned on three new parking lot lights being installed on poles on the northwest, northeast, and southeast corner of the existing parking lot.

j. Borough Manager's Report:

1. New Municipal Building Project Status Update: Mr. Powl informed Council that weather continues to be an issue for moving into the new building. Sidewalks will need to be installed allowing access to the building before the Borough can receive a Certificate of Occupancy. However, the ground is still frozen and no sidewalks can be constructed until the grounds thaws and favorable compaction tests results are obtained.

He also informed Council of his concern regarding the amount of space between the Council Chambers desk and the wall. There is a 36-inch distance, which meets UCC code, but may make it difficult for anyone to move behind the chairs at the table. He stated that he received a price of \$4,700 to move the desk forward 2-3 feet to allow for more space. The price includes moving the desk, moving the conduit and electrical box in the floor, and pouring new concrete. Council agreed to keep the desk in its current location.

2. Lease with Lebanon County for the Magisterial District Justice Office:

Motion: To approve the execution of the lease with Lebanon County for the Magisterial District Justice space in the new municipal building. Motion by Pat Hennessy, second by Jane Quairolì. Motion passed.

3. Citizen Fire Co. No. 1 - Dispatch Box Cards – Chief Dave Dugan of the Citizen's Fire Company was present to explain the changes he is proposing to the dispatch box cards to decrease the types and numbers of apparatus responding to certain types of calls. He also explained that several types of calls would be limited to a duty vehicle only - wires down, for example. It was agreed that Chief Dugan would provide a letter to the Borough for signature after the changes are approved at a future public meeting.
4. Mr. Powl indicated that the owners of property adjacent to the north side and south side of the Grant Street bridge were inquiring if the Borough would be willing to clear the snow from the walks and invoice them for the costs. Mr. Powl stated that the Borough Solicitor raised some concerns about setting the precedent of clearing sidewalks on private property. Council asked Mr. Powl to contact the property owners and inform them that the Borough is not interested in considering their request.

5. Mr. Powl inquired about the Borough owned properties located on South Lingle Avenue. He indicated that Mr. Yordy stopped into the office to inquire if Borough Council was ever going to consider selling the properties or combining the three at the corner of South Lingle Avenue and West Cherry Streets. Mr. Powl stated that a lot consolidation plan would be required to be prepared, submitted, and reviewed by the Planning Commission, Lebanon County Planning, and Borough Council in order to consolidate the properties unless Borough Council waives the requirement for submitting the plan.

Motion: To grant a waiver of the requirements contained in the Palmyra Subdivision & Land Development Ordinance for the preparation, submission, and review of a lot consolidation plan in order to consolidate the three parcels owned by the Borough of Palmyra at the northeast corner of South Lingle Avenue and West Cherry Street. Motion by Pat Hennessy, second by Scott Mazzocca. Motion passed.

Mr. Powl will work with the Borough Solicitor to begin the consolidation of parcels.

Announcement

President Quairolì announced that Borough Council will conduct a public workshop meeting on Tuesday, March 11, 2014 beginning at 6:00 PM and its regular monthly public meeting on Tuesday, March 25, 2014 beginning at 7:00 PM.

Other Business

1. Councilor Longenecker noted that a bill is pending in the PA Legislature to allow municipalities to advertise legal notices on their websites versus in newspapers as currently required.
2. Mayor Carpenter explained that the Police Department spends an inordinate amount of time enforcing the removal of snow from sidewalks within 24-hours of the cessation of precipitation and asked if an education campaign can be conducted to better inform the residents of this requirement.
3. Mayor Carpenter explained that he supports the State Mayor's Association's push to get radar approved for use by municipal police departments to enforce speed limits and Council agreed to have a letter of support from the Borough be sent to State Senator Folmer's office.
4. Councilor Hennessy explained that the snow-piles along Spruce Street in front of Northside Elementary School should be removed to improve the on-street parking situation and pedestrian access to the school. He also asked that in future snow events that the Borough work together with the School District to improve snow removal operations around the school to prevent the parking and access problems in the future.

Motion to Adjourn

Motion to adjourn by Beth Shearer, second by Scott Mazzocca. The meeting adjourned at 8:41 PM.

Respectfully submitted,

Roger E. Powl
Borough Manager