

Palmyra Borough Council Meeting
 March 24, 2015
 7:00 PM

Borough Council President Jane Quairola 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, Beth Shearer, Ralph Watts, 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

- Kenneth Medina, 234 E. Cherry Street, addressed Council about the lack of communication regarding the sinkholes and expressed his dissatisfaction that nothing has been done to remediate the problem.
- Maddie Reed, 221 E. Hazel Street, inquired if the Borough pays tax on the property it owns and asked how streets are chosen for improvements.

Consent Calendar

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

- a. Approve the minutes of the March 10, 2015 Borough Council Workshop meeting.
- b. Approve the minutes of the February 24, 2015 Borough Council meeting.
- c. Approve payment of all bills listed on the February 2015 Bill's List.
- d. Approve the Treasurer's Report for the period February 1 through February 28, 2015:

	General Fund	Refuse Fund	Sewer Fund	Capital Reserve Fund	Liquid Fuels Fund
YTD Revenue	\$179,120	\$181,896	\$333,550	\$788	\$7,387
YTD Expenses	\$355,762	\$111,989	\$80,105	\$3,013	\$370
Difference	(\$176,642)	\$69,908	\$253,445	(\$ 2,225)	\$7,017
Fund Balance	\$889,784	\$439,980	\$801,627	\$1,512,808	\$131,905
	Special Sewer Fund	Library Fund	Police Health Care Fund	Town Square Reserve Fund	Joint Fire Apparatus Fund
YTD Revenue	\$1,638	\$57	\$72	\$6	\$104
YTD Expenses	\$20,330	\$0	\$8,554	\$0	\$0
Difference	(\$18,692)	\$57	(\$8,482)	\$6	\$104
Fund Balance	\$2,129,564	\$1,139	\$133,380	\$12,231	\$ 201,865

Motion: To approve the consent calendar. Motion by Pat Hennessy, second by Beth Shearer. Motion passed.

Action & Discussion Items

a. Ordinance #761 - The Palmyra Zoning Ordinance of 2015:

President Quairoli announced that the purpose of the public hearing is to afford the public the opportunity to comment on the proposed Palmyra Zoning Ordinance of 2015 as required by Section 608 of the Pennsylvania Municipalities Planning Code (MPC). The Zoning Ordinance was developed by the Palmyra Planning Commission in consultation with RothPlan beginning in 2010 to bring the Borough's Zoning Ordinance in-line with the Palmyra Area Regional Comprehensive Plan adopted on March 26, 2013. The Planning Commission recommended to Borough Council to approve the Final Draft of the Zoning Ordinance at the November 5, 2014 Planning Commission meeting. The ordinance was advertised in the March 10th & 17th editions of the Lebanon Daily News. The ordinance was sent to the Lebanon Law Library on March 9, 2015. Borough Council may take action at the conclusion of the Public Hearing, or, at any public meeting held within 60-days of the second legal advertisement date of March 17th (Saturday May 16, 2015).

The Public Hearing was opened. There was no public comment.

Motion: To close the public hearing. Motion by Pat Hennessy, second by Ralph Watts. Motion passed.

Motion: To enact Ordinance #761 enacting the Palmyra Borough Zoning Ordinance of 2015. Motion by Pat Hennessy, second by Ralph Watts. Motion passed.

Reports

- a. President's Report: President Quairoli did not have a report.
- b. Financial Statement: There were no questions regarding the financial statement as of February 28, 2015.
- c. Fire Services Commission Report: Did not meet this month
- d. Library Board Report: President Quairoli provided a copy of the March 2015 report.
- e. Police/Mayor's Report: Mayor Carpenter provided a copy of the February 2015 Monthly Police Report. He also reported that he and Councilor Hennessy gave a presentation to eighty 3rd graders at Pine Street Elementary School. The most questions they received concerned skateboarding and riding scooters in the Borough.
- f. Planning Commission: Borough Manager Powl informed Council that they need to act on the recommendation made by the Planning Commission at their November 2013 meeting to approve a waiver of the requirement to prepare, submit, and obtain approval of a Lot Consolidation Plan for the three (3) Borough owned lots at W. Cherry St & S. Lingle Ave being consolidated into one new lot. Mr. Powl explained that Council has never taken formal action on the recommendation. Mr. Powl also informed Council that the Borough Solicitor suggested that the Borough apply for all necessary zoning variances to make the consolidated lot a buildable lot, thus making the lot more valuable to a prospective developer by already having the variances in place before the lot is sold via public auction or sealed bid. Council asked Mr. Powl to research how many variances would be required.

Motion: To approve the recommendation made by the Planning Commission for the granting of waivers of the requirements of the Palmyra Borough Subdivision and Land Development Ordinance to submit, obtain approval of, and record a subdivision plan to consolidate the lands conveyed by this Deed into a single lot. Motion by Beth Shearer, second by Ralph Watts. Motion passed.

- g. Recreation Commission Report: Vice-President Hennessy provided a copy of the March Director's Report. He indicated that enrollment for the Summer Camp and Spring Soccer have increased since the report was distributed.
- h. Borough Manager's Report:
1. New Municipal Building Project Status Update: Mr. Powl reported that the HVAC system review by the commissioning agent is ongoing, the ADA ramps on the west end of the building need to be repaved, and the finished landscaping should begin in early April.
 2. Municipal Lot Parking Restriction: Mr. Powl indicated that the Mayor and Councilor Hennessy has mentioned previously about restricting the parking in the municipal lot to Borough business only. Council reviewed an e-mail from the Borough Solicitor on the subject and discussed the pros and cons of restricted parking. Council decided to wait and see if there are any problems with the Spring sports schedule at the Buck Swank field before making a final decision.
 3. Geophysical Study - 900 Block E. Maple Street: Mr. Powl reported that all of the data has been collected and the report should be available as early as next week. Council would like representatives from the ARM Group to explain the findings of the report to Council at the April Workshop meeting.
 4. 2012 & 2013 Liquid Fuels Fund Audit: Mr. Powl provided a copy of the audit to Council. The audit includes two findings. The first relates to the Cherry Street project in which the Borough neglected to file a PennDOT form required to receive approval for the project. Mr. Powl informed Council that the project was bid through PennDOT using their ECMS system online. In addition, a reimbursement agreement was developed between PennDOT and the Borough for the project, and Mr. Powl explained that he specifically asked PennDot if the form was necessary to be filed through the local Municipal Services Rep and was told no. Mr. Powl requested PennDOT assist in the removal of the finding. The second finding concerns Liquid Fuels funds in the amount of \$7,320 received from Lebanon County that was incorrectly deposited into the General Fund instead of the Liquid Fuels Fund account. This error was corrected immediately.

Announcement

President Quairoli announced that Borough Council will conduct a special meeting at Citizen's Fire Co. No. 1 on Monday, April 13, 2015 beginning at 7:00 PM to seek public input from Borough residents concerning construction of a new firehouse. Council will also conduct a public workshop meeting on Tuesday, April 14, 2015 beginning at 6:00 PM and the regular monthly public meeting on Tuesday, April 28, 2015 beginning at 7:00 PM.

Other Business

- Councilor Shearer inquired about the FEMA grant for the sinkholes on E. Cherry Street. Mr. Powl indicated that FEMA has agreed to include sinkholes as a permitted disaster for grant funds. However, the application and the guidelines for the grant have not been developed yet. Ms. Pera mentioned that she spoke to PEMA earlier in the day and they advised that it is anticipated that the grant documents will become available in the mid to late April timeframe.

Council discussed the need to move forward on remediation of the sinkholes. Councilor Hennessy reiterated his disapproval that the property owners received insurance funds and walked away from the properties only to have the entire community cover the costs for the repairs. He indicated that the Borough needs to start the property maintenance proceedings on these properties because they are privately owned.

Motion: To have the Borough Code Enforcement Officer begin property maintenance violations on all six condemned properties. Motion by Pat Hennessy. The motion died for lack of a second.

Council discussed the need to pursue property maintenance violations at 300 and 302 E. Cherry Street because the new owner bought the properties “as is” with full knowledge of the sinkholes under the foundation.

Motion: To have the Borough Code Enforcement officer begin property maintenance violations on 300 and 302 East Cherry Street. Motion by Beth Shearer, second by Pat Hennessy. The motion passed with a 6-1 vote with Gary Laudermilch casting the dissenting vote.

Council also directed Mr. Powl to have the ARM Group begin the bid documents for injection grouting within the public right-of-way only.

- Mayor Carpenter mentioned that the traffic study has begun at Earl Drive. He also inquired as to the progress of the tornado damaged property on E. Main Street. Ms. Pera informed him that Steven Rutkowski, the hired contractor for the renovations, is scheduled to appear in Dauphin County court on charges that he took funds and didn't do the work contracted. These charges are on another project located in Dauphin County, but the property owner on this property is now a victim of undelivered contractual obligations.
- Councilor Laudermilch inquired if the sign that the Palmyra Area Public Library placed on the Borough property is legal. Mr. Powl indicated that he gave the library the dimensions allowed by the Zoning Ordinance so that it would be compliant with the sign regulations. Council Laudermilch then inquired about dissolving the library tax and using the funds towards constructing a new fire building.

He then asked what was expected out of the April 13, 2015 meeting at the fire house. President Quairoli responded that the meeting was established to take public comment from Borough residents.

Motion to Adjourn

Motion to adjourn by Pat Hennessy, second by Beth Shearer.

The meeting adjourned at 8:19 PM.

Respectfully submitted,

Roger E. Powl
Borough Manager