

Palmyra Borough Council Meeting  
 Tuesday, March 28, 2017  
 7:00 PM

Borough Council President Mark Smith 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 Beth Shearer, Brian Craig, Carissa Mellinger, Jane Quairoli, Joe Templin and Ralph Watts. Also in attendance were Mayor Fred Carpenter, Borough Manager Roger Powl, and Assistant Borough Manager Brenda Pera. Police Chief Stan Jasinski was absent from the meeting.

Special Visitors

Scott Buchle, Manager, Life Lion EMS, was present to discuss EMS services with Council. He explained that Lebanon County 911 is revising their dispatch process for EMS responses and they are seeking formal agreements from municipalities officially naming their EMS provider. Mr. Buchle would like Life Lion EMS to be named as the official EMS Service provider for Palmyra Borough and North Londonderry Twp since they have been providing the service for the past 20-plus years. Mr. Buchle will forward a draft agreement to Mr. Powl for review by the Borough Solicitor and consideration by Borough Council. Mr. Buchle also asked Borough Council to consider future monetary assistance to Life Lion EMS to offset their costs associated with being housed in the new Citizens Fire Company No. 1 firehouse.

Public Comments

- Chuck Yaeger, Palmyra American Legion, introduced himself to Council and invited them to attend a flagpole dedication on June 10<sup>th</sup> at 3 PM at the American Legion building. They recently replaced their 19-ft. flagpole with a 35-ft. flagpole. He also indicated that they are interested in getting more involved with the community.
- Greg Reed, 233 E. Hazel St, inquired if the proposal for the new gas line at Fireman’s Park was received from UGI. It was not.
- Jael Wolf, 301 E Cherry St, thanked the Borough for plowing their alley after the snow storm and inquired about the two handicap parking spaces on the agenda for S. Grant Street.
- Bob Dailey, 109 W. Orchard St, asked Council what has been done for stormwater in the previous 19-months and encouraged Council to either spend the \$1.5 million dollars borrowed for stormwater for this purpose or repay the debt with the funds.

Consent Calendar

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

- a. Approve the minutes of the February 28, 2017 Borough Council meeting.
- b. Approve payment of all bills listed on the February 2017 Bill’s List.
- c. Approve the Treasurer’s Report for the period February 1 through February 28, 2017:

	General Fund	Sewer Fund	Refuse Fund	Capital Reserve Fund	Special Sewer Fund
YTD Revenue	\$296,290	\$300,837	\$199,055	\$490	\$86,315
YTD Expenses	\$345,616	\$284,941	\$108,244	\$197,891	\$2,891
Difference	\$(49,326)	\$15,896	\$90,950	\$(197,401)	\$83,425
Fund Balance	\$1,464,401	\$557,765	\$355,696	\$1,087,058	\$2,335,352

	Liquid Fuels Fund	Library Fund	Police Health Care Fund	Town Square Reserve Fund	Joint Fire Apparatus Fund	Cemetery Fund
YTD Revenue	\$7,451	\$315	\$69	\$2	\$114	\$596
YTD Expenses	\$1,116	\$0	\$3,003	\$0	\$0	\$0
Difference	\$6,335	\$315	\$(2,934)	\$2	\$114	\$596
Fund Balance	\$327,298	\$917	\$168,665	\$4,736	\$283,133	\$40,966

*Motion: To approve the consent calendar. Motion by Jane Quairolì, second by Mark Smith. Motion passed.*

Action Items

a. Ordinance #775 - Motor Vehicles & Traffic - Parking Regulations Update:

*Motion: To enact Ordinance #775, an ordinance updating the following parking regulations:*

- *Section 350-26 (Special Purpose Parking Zones):*
  - *Remove – North Chestnut Street – East side – 144 North Chestnut Street*
  - *Add – West Oak Street – North side – 227 West Oak Street*
  - *Add – North College Street – East side – (due to existing no parking zone on west side) from a point approximately 70-feet south of the southern curblìne of West High Street to a point 20-feet south thereof.*
  - *Add – North College Street – East side – (due to existing no parking zone on west side) from a point approximately 120-feet south of the southern curblìne of West Broad Street to a point 20-feet south thereof.*
  - *Add – Hazel Street – North side – from a point approximately 70-feet west of the west curblìne of N. Chestnut St to a point 20-feet west thereof.*
  - *Add – East Cherry Street – North side – 115 E. Cherry Street*
  - *Add – South Grant Street – West side (2 spaces) – from a point approximately 35-feet south of the southern curblìne of E. Main St. to a point 20-feet south thereof, and 20-feet south thereof of the first space.*
  - *Add – North Lincoln Street – West side – 115 N. Lincoln Street*
  - *Add – North Green Street – East side – 24 N. Green Street*
- *Section 350-22 (Parking Prohibited at All Times):*
  - *Add – West Walnut Street – South side – from the east curblìne of South Bowman Avenue to a point approximately 160-feet east thereof.*
  - *Remove – North College Street – East side – from West North Ave to West Arch Street.*

*Motion by Jane Quairolì, second by Ralph Watts. Motion passed.*

b. Ordinance #776 – Public Street Dedication – New Street Stubs at S. Center Ave & S. Windsor Ave:

*Motion: To authorize the Borough Solicitor to prepare Ordinance #776, an ordinance to accept public dedication of the dead-end street stub “hammerheads” at South Center Avenue and South Windsor Avenue that were created as part of the Helm Tract Subdivision & Land Development Plan. Motion by Jane Quairolì, second by Ralph Watts. Motion passed.*

c. CVS Pharmacy Final Subdivision & Land Development Plan – Financial Security Reduction Request

*Motion: To approve the recommendation by the Borough Engineer to authorize a reduction in the amount of \$81,787.46 to the Subdivision and Land Development Bond #012023601 for CVS Pharmacy leaving a new outstanding financial security balance of \$0. Motion by Beth Shearer, second by Ralph Watts. Motion passed.*

d. Road Closure Request – 2017 PABA Truck Trek Event:

*Motion: To authorize the closure of West Cherry Street from S. Railroad Street to S. Columbus Street on Saturday May 13<sup>th</sup> from 8:00 AM – 8:00 PM for the PABA Truck Trek event. Motion by Ralph Watts, second by Carissa Mellinger. Motion passed.*

e. Phase A Stormwater System – ShadowStone/Ridge Road Park Wetlands Project Bids:

*Motion: To accept a 60-day extension of time offered by the low bid contractor (Ankiewicz Enterprises, Inc. /dba Grand Prix Excavating, Tamaqua, PA) for the awarding of the contractor to the low bidder. Motion by Jane Quairola, second by Mark Smith. Motion passed.*

2. What is Borough Council’s “offer” to the School District for the Ridge Road Park Land?  
Councilor Watts inquired why the Borough would want to offer any funds towards the wetlands at Ridge Road Park since the School District was given the land from the Hershey Trust for free. Council discussed the next steps and determined that a meeting with a representative sample of the School Board members with the same from Borough Council may be necessary to resolve any outstanding issues and address concerns. President Smith asked staff to provide the contact information for the School Board President. In the meantime, Council discussed the need to obtain an appraisal of the wetland area to have some idea of the value of the land.

3. Land Strip Appraisal:

*Motion: To authorize the Borough Manager to engage the services of RealPro Valuation, 1845 Lititz Pike, Lancaster, PA 17601 for a cost not to exceed \$2,750 to determine the value of the Ridge Road Park land necessary to construct the wetlands project, but only after Council meets with the School Board. The costs for this report shall be expensed to Budget Line Item #01.408.314. Motion by Jane Quairola, second by Beth Shearer. The motion passed by a 6-1 vote with Ralph Watts voting against the motion.*

Reports

a. President’s Report: There was no report.

b. Financial Report:

1. Financial Statement: Councilor Quairola questioned the year-to-date percentage of budget line item 01.401.112 (as of February 28, 2017).
2. Delinquent Sewer & Refuse Account Report: Ms. Pera provided a copy of the report and informed Council that staff would like to take additional steps towards debt collection. Significant efforts are being made to collect from residents that owe between \$500 and \$1000. However, the top several delinquent balances are being neglected and she recommends submitting them to the Borough Solicitor to commence foreclosure proceedings:

a. Debt Collection Action:

*Motion: To authorize the Borough Solicitor to pursue Writs of Scire Facias to commence foreclosure proceedings against the following properties:*

- Terry Winters, 101 N. Grant Street, for a delinquent balance of \$7,097.02
- Michael/Laura Nissley & Sarah Porche, 317 N. College Street, for a delinquent balance of \$5,490.41
- James & Roni Lynn Roof & Sarah Porche, 313 N. College Street, for a delinquent balance of \$5,312.78
- Israel & Melanie Colon, 205 E. Cherry Street, for a delinquent balance of \$4,744.94
- Kyle & Elizabeth Deppen, 132 S. Center Avenue, for a delinquent balance of \$4,524.41
- Thomas O. Hammond, Jr., 700 W. Cherry Street, for a delinquent balance of \$3,996.21
- Michael Donley, 49 Sandalwood Drive, for a delinquent balance of \$3,898.60

*Motion by Jane Quairolì, second by Beth Shearer. Motion passed.*

c. Fire Department:

1. New Firehouse Update: Fire Company President Dustin Kennelly reported the following:

- The concrete ramp is unacceptable as installed and they are working with Pyramid and the subcontractor to make it right.
- The Fire Company applied for a 2-million-dollar grant from the Commonwealth of PA.
- The apparatus plan is complete and will be presented at the next Fire Services Committee meeting projected to be held in June 2017 at the new firehouse.
- The problems with the elevator shaft waterproofing cost the Fire Company an additional \$4,000 to fix, but the funds are coming out of the \$130,000 contingency fund account for the building.

d. Library Board Report: Councilor Watts provided a copy of his report.

e. Planning Commission - Subdivision & Land Development Plans: Borough Manager Powl

1. Patel Final Subdivision Plan – 201-203 N. Lincoln Street:

*Motion: To approve the recommendation made by the Planning Commission to grant a 70-day extension of time from April 4, 2017 to June 13, 2017 for the review of the Patel Final Subdivision Plan. Motion by Mark Smith, second by Ralph Watts. Motion passed.*

f. Police Department:

1. February 2017 Monthly Report: Mayor Carpenter provided a copy of the report.

g. Public Works Department:

1. Superintendent's Monthly Report: Mr. Powl presented a copy of the February report.

h. Recreation Commission Report: Councilor Quairolì reported that the meeting was cancelled.

i. Solicitor's Report: Solicitor Cleary

1. N. Duke St. & E. Arch Street - Public Dedication Status Update: Letter dated 03/20/17 – The Solicitor believes that the Counselor for the Palmyra Shopping Center did not understand the nuances of the Borough Code, but the agreement is getting closer to completion.

j. Zoning & Codes Enforcement:

1. Zoning Hearing Board: No Hearings were conducted this month.

2. Zoning Officer/Codes Enforcement Officer Report: Mr. Powl provided a copy of the February 2017 report from Ed Wenger of Light-Heigel & Associates.
3. Zoning Officer/Codes Enforcement Officer Position: Council discussed several options for the position. These include:
  - a. Continue as is with Light-Heigel on a complaint driven basis: (\$25,000/year)
  - b. Pursue enhanced services with Light-Heigel where Ed Wenger would spend three 8-hour days per week in the Borough Office working on Palmyra Borough issues only: (\$68,640/year)
  - c. Hire a full-time Zoning Officer/Codes Enforcement Officer: (\$85,000/year)

Councilor Watts made the following motion and President Smith called for a roll call vote:

*Motion: To hire a full-time Zoning Officer/Codes Enforcement Officer. Motion by Councilor Watts, second by Mark Smith.*

<i>Councilor Craig</i>	<i>Yes</i>
<i>Councilor Mellinger</i>	<i>No</i>
<i>Councilor Quairola</i>	<i>No</i>
<i>Councilor Shearer</i>	<i>Yes</i>
<i>Councilor Templin</i>	<i>Yes</i>
<i>Councilor Watts</i>	<i>Yes</i>
<i>Councilor Smith</i>	<i>Yes</i>

*The motion was approved by a 5-2 vote.*

- k. Borough Manager's Report:
  1. Mr. Powl advised Council that Weis Markets Liquor License Transfer Public Hearing has been rescheduled for the April 11th Meeting.
  2. 300 Block E. Cherry Street Sinkhole Repair & Stormwater Management: Mr. Powl reported that the injection well is not taking enough water to drain the proposed detention basin in accordance with the Borough's Stormwater Ordinance. Bill Seaton, ARM Group, believes an additional well might have to be drilled to supplement the first one. More information will be forthcoming on this issue as it becomes available.
  3. Shellbark Alley New Injection Well Project: (to the rear of 138 N. Chestnut St) Mr. Powl reported that this new well is also underperforming per the needs of the area versus the amount of water during a significant rain event. Again, Bill Seaton, ARM Group, is reviewing options for this well.
  4. Injection Well #1 Relocation Project (at Palmyra Memorial (Fireman's) Park): Mr. Powl informed Council that a pump test is necessary to determine how much water the injection well can take under pumping conditions. Due to the solid rock formations in this area, the gravity flow into the injection well is not fast enough to meet the requirements of the Borough's Stormwater ordinance. Bill Seaton, ARM Group, is working on the setting up a pump test.
  5. East Oak Street & South Forge Road Vertical Re-Alignment & Paving Project: Mr. Powl reported that the Borough Engineer has submitted the Highway Occupancy Permit (HOP) to PennDot, and is working on a few items and plans to bid the project in the next few weeks.
  6. New Public Works Building: Mr. Powl reported that staff has been meeting with the architects and engineers to finalize the plans for the new building. Mr. Powl stated that the building will need to have a sprinkler system or a 3-hour fire wall to comply with UCC codes, which are

adding unnecessary costs to the building. He is expecting an estimate for the building in the next week.

7. Lebanon County MS4 Intergovernmental Cooperation Agreement: Mr. Powl provided a copy of the agreement to Council and indicated that the Borough Solicitor recommends not participating in the agreement. A first estimate of what it will cost the Borough to participate exceeds a half million dollars and the Borough will have no control in which municipality any stormwater improvements are made. Council agreed with the Solicitor's recommendation. Mr. Powl also explained that he and Frank Chlebnikow of Rettew physically walked all the Borough's stormwater discharge outfall locations to document and provide photographic proof that the Borough's stormwater run-off is not discharging anywhere close to waters of the Commonwealth, and, therefore, the Borough should not be required to participate in the DEP MS4 Permit program. Mr. Powl explained that Rettew will be preparing a report from the field investigation to submit to DEP with a copy to Representative Frank Ryan, who is interested in helping the Borough with the MS4 waiver request.
8. ShadowStone Zoning Map Amendment Request: Mr. Powl provided a copy of the request to amend the Zoning Map for the ShadowStone neighborhood. The Planning Commission will review the request at their April 5<sup>th</sup> meeting.

#### Other Business

- Mayor Carpenter mentioned that the banners throughout town are starting to look bad. Councilor Watts agreed to mention this to PABA President Brad Martin.
- Ms. Pera informed Council that the Garden Club contacted her regarding flower pots at the Town Square. The Garden Club wants to put bigger pots at this location. Council had no issue with the pots provided the Garden Club tends to the pots.

#### Announcement

President Smith announced that Borough Council will conduct a public meeting on Tuesday, April 11, 2017 and on Tuesday, April 25, 2017 beginning at 7:00 p.m.

#### Motion to Adjourn

*Motion to adjourn by Ralph Watts, second by Jane Quairolì. The meeting adjourned at 9:10 PM.*

Respectfully submitted,

Roger E. Powl  
Borough Manager