

Palmyra Borough Council Meeting
Tuesday, April 11, 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, Police Chief Stan Jasinski, Borough Manager Roger Powl, and Assistant Borough Manager Brenda Pera.

President Smith announced that Borough Council held an executive session before this evening's Borough Council meeting to consult with the Borough's labor law attorney regarding 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.

Public Hearing: Liquor License Transfer: Weis Markets, Inc. – 901 East Main Street.

Motion: To open the public hearing. Motion by Jane Quairoli, second by Brian Craig. Motion passed.

Applicant presentation / testimony: Mr. Stanley J. Wolowski of Flaherty & O'Hara was present to discuss the request of Weis Markets, Inc. He explained that the liquor license requesting to be transferred is from a restaurant in North Cornwall Township. Weis is requesting to open a restaurant in the store that will allow customers to order food and purchase beer & wine to-go in accordance with new State Liquor Laws. Beer & wine must be purchased in the restaurant and will not be permitted to be taken into the store area. No draft beer will be sold but, patrons will be able to drink no more than two beers while eating at the restaurant. Wine will not be sold for consumption on premises. A maximum of four bottles of wine may be purchased at one time. Weis will maintain a 100% carded policy requiring photo ID for all purchasers regardless of age.

President Smith opened the floor for public testimony concerning the liquor license transfer request:

- Greg Reed, 233 E. Hazel Street, voiced his opposition to the transfer.
- Josh Holl, 548 S. Green Street, inquired if an individual can purchase drinks at every meal.

Motion: To close the public hearing. Motion by Jane Quairoli, second by Mark Smith. Motion passed.

Motion: To adopt Resolution #2017-15, approving the request of Weis Markets, Inc. for an intermunicipal transfer of a liquor license in the form presented at this meeting. Motion by Jane Quairoli, second by Brian Craig. Motion passed by a 6-1 vote with Beth Shearer voting against the motion.

Public Comments

- Maddie Reed, 233 E. Hazel Street, expressed her opposition to reconfiguring the E. Oak Street & Forge Road intersection. She also stated that she was against spending any Borough funds at Fireman's Park.
- Greg Reed, 233 E. Hazel Street, registered his opposition to spending any funds for the UGI gas line at Fireman's Park.
- Don Shope, 4654 Beagle Road, Elizabethtown, was in attendance as a representative of Encounter Church in North Londonderry Township. He indicated that the teen congregation members are looking to do another Impact Palmyra Project in the Borough and inquired about the basketball court at Heritage Park. He inquired if Council was willing to put funds towards the cost of repair. Council responded that there are no funds in the budget to fix the basketball court. Mr. Shope stated that he was going to get an estimate on fixing the bad areas of the court, but it was recommended that he get an estimate for the entire court because the prep work will probably reveal the entire court as needing repair.

Consent Calendar

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

- a. Approve the minutes of the March 28, 2017 Borough Council meeting.
- b. Approve payment of all bills listed on the March 2017 Bill's List.

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

Action & Discussion Items

- a. Zoning Officer/Codes Enforcement Officer Position:

Councilor Craig remarked that he did not believe it was wise to require the new Zoning Officer/Code Enforcement Officer to move within 20-miles of the Borough as required within 12-months because the probationary period is 12-months long. He felt it would be better to allow this employee to learn the job in the first 12-months, determine if the employee will make it through the probationary period, and then require a permanent move.

Motion: To approve the hiring of Michelle A. Bowman as Zoning Officer/Code Enforcement Officer, which will be a full-time exempt position with a starting annual salary of \$54,392 (\$26.15/hr) and a one-year probationary period. The requirement to move within 20 miles of the Borough shall be extended to a 24-month period. Motion by Ralph Watts, second by Brian Craig. Motion passed by a 6-1 vote with Jane Quairolì voting against the motion.

- b. ShadowStone Zoning Map Amendment Request – Mixed Use to Manufactured Housing Park:

Joyce Gerhart, RGS Associates, was present to answer questions regarding the ShadowStone request.

Motion: To authorize the Borough Solicitor to prepare and advertise Ordinance #777, an ordinance to change the zoning classification of 0.94-acres of land from Mixed Use (MU) to Manufactured Housing Park (MHP) located between West Spruce Street, an east/west un-named alley, Evergreen Alley, and North Railroad Street formerly addressed as 433, 423, 421, and 417 North Railroad Street. Motion by Jane Quairolì, second by Ralph Watts. Motion passed.

- c. Road Closure Request – Palmyra High School Sports District Championship Parades:

Motion: To authorize the closure of the roads necessary to accommodate the following parade route for possible 2017 PIAA District 3 Championships won by Palmyra athletics on the following dates & times:

<i>Baseball</i>	<i>= Thursday 6/1/17 - between 6-8 PM.</i>
	<i>= Alternate date of Saturday 6/3/17 between 12-2 PM.</i>
<i>Boys Lacrosse</i>	<i>= Thursday 5/25/17 - between 6-8PM.</i>
	<i>= Alternate date of Saturday 5/27/17 between 12-2 PM.</i>
<i>Boys Volleyball</i>	<i>= Saturday 5/27/17 between 12-2 PM.</i>

Parade Route: Beginning at Middle School Rear Parking Lot; North onto N. Locust St.; 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 Rear Parking Lot.

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

Reports

- a. President's Report: President Smith read a statement rebuking the March 31, 2017 Letter to the Editor by Bob Dailey printed in the Lebanon Daily News. President Smith highlighted the following:
 - The Borough is not \$18 million in debt as alleged.
 - The Borough borrowed \$5 million in March 2012 to build a new municipal center and make storm water improvements. One million has already been repaid.
 - The Borough borrowed \$3 million in November 2015 to repair sinkholes on E. Cherry St and E. Maple St., reconstruct E. Spruce St., and additional storm water improvements. Only \$1.5 million of this loan has been borrowed.
 - The Borough secured \$2.3 million of the construction of the new firehouse. The loan does not count against the Borough's borrowing capacity, so in an emergency the Borough could borrow an additional \$3.5 million, but there are no plans to borrow any more.
 - The debt for the new sewer plant belongs to North Londonderry Township. The Borough buys sewer treatment service from the Township. The cost of treatment since switching to the township is less than when the Borough operated the old treatment plant.
 - In 10 years, the Borough has only raised taxes twice. The total for both increases combined is less than 1-mil of tax.
- b. Financial Report:
 1. Financial Statement: The report was presented as of March 31, 2017.
 2. Delinquent Sewer & Refuse Account Report: Ms. Pera reported that one of the homes that was approved for foreclosure at the March meeting was paid in full. Borough staff is contacting the others to inform them of Council's decision.
- c. New Firehouse Update: Dustin Kennelly, President of the Fire Company, reported that Met-Ed has finally connected the permanent power supply to the building. Comcast is also scheduled for installation. Elevator is scheduled to be installed tomorrow. An inspection by Labor & Industry will occur on April 13th. A structural core sample analysis of the concrete ramp revealed that the concrete did not meet the minimum 4,000 pounds per square inch requirements, therefore, the entire ramp will need to be removed and re-poured. The Fire Department will not be able to move into the building until the new concrete has cured for a minimum of 28-days.
- d. Police Department: Mayor Carpenter reported that he attended a Police Management Course with Joe Templin, Beth Shearer and Sergeant Mathews on April 5th.
- e. Planning Commission - Subdivision & Land Development Plans: Mr. Powl reported that the Commission reviewed the Palmyra Borough Final Land Development Plan – Public Works Garage Building plan and made a recommendation to Council to approve the plan conditioned on all review comments being addressed and a clean copy of the plan being submitted to Borough Council for approval. The Planning Commission also reviewed the ShadowStone Zoning Map Amendment request, and an Official Map Amendment provided by Derry Township. Mr. Powl explained that Derry Twp is not proposing anything that would impact the Borough, however, they continue to show the bike trail connection to West Cherry Street.
- f. Public Works Department:
 1. Superintendent's Monthly Report: Mr. Powl provided a copy of the March report.
 2. Borough Properties: (Municipal Building, Public Works Garage, former Wastewater Treatment Plant)
 - a. New Public Works Garage Building: Mr. Powl reported that the land development plan is being cleaned-up for final approval, and bid documents are being finalized. A new building cost estimate was not available for this meeting.
 - b. Fuel System Management Upgrade Project (For our above-ground fuel tank at 910 E. Broad St): System hardware has been received - installation pending.

3. Parks: (Heritage Park, Palmyra Memorial (Fireman's) Park, and Southeast Park)
 - a. DCNR Grant - Fireman's Park Project Update: Ms. Pera provided a copy of a proposal from UGI for installing a new main gas line at the park. The quote is for \$32,216.56. Council agreed that this was not a cost they wanted to incur and asked staff to investigate a propane tank for the park.
 - b. Seasonal Laborer: Mr. Powl reported that ads were placed for this position and applications are being received.
4. Refuse & Recycling:
 - a. Truck cameras: The cameras are still not 100% operational. 911 Rapid Response fixed their installation error, but only one of the three trucks are communicating automatically with the camera server to upload video. The Borough IT company is working with Rosco camera manufacturer to resolve the issues.
5. Sewer System:
 - a. Smoke Testing Machine: Mr. Powl explained the difference between inflow and infiltration in the sewer system. Inflow is the result of illegal rain spouts, sump pumps, storm drains, etc. being hooked to the sewer system. Infiltration results from cracked sewer lines that allow ground water to seep into the collection system. The Borough's gallons per minute increases rather drastically after every rainstorm, and decreases as soon as precipitation stops, which indicates an inflow issue. He advised Council that the Borough just purchased a smoke testing machine to help determine where the inflow problems are occurring. He provided information showing that the liquid smoke used in the machine is harmless, and explained that smoke testing will be done in combination with the annual televising and cleaning of the main sewer lines after proper advanced notification to the residents.
6. Sinkholes:
 - a. 300 Block E. Cherry St / 100 Block S. Grant St: ARM Group, Inc. is working on a proposal for additional test wells in this area since the existing test wells will not allow the proposed detention basin to drain within 72-hours as required by the Stormwater Management Ordinance even after undergoing the aquifer enhancement process.
 - b. Shellbark Alley Drain/Well: (to the rear of 138 N. Chestnut St) – ARM Group, Inc. is also working on finding additional test well locations for this drainage area.
7. Stormwater Management:
 - a. Phase A Stormwater Management System: (north of railroad tracks - west of N. Grant St.) School District? President Smith said he has been unable to contact School Board President Chris Connell.

DEP Growing Greener Grant Extension? Mr. Powl stated that DEP will not accept letters requesting grant extensions until May. Although he has received verbal support from the DEP grant coordinator, the Comptroller's office will need to approve the extension and that could take a few months.
 - b. Injection Well #1 (Spruce & Chestnut Street) Relocation Project Status Update: Mr. Powl reported that pump testing on the injection well could take place next week.
 - c. DEP Municipal Separate Storm Sewer Systems (MS4) Permit Waiver Status: Mr. Powl informed Council that DEP refused to review a report recently submitted by the Borough that asked for waivers of the MS4 requirements. Mr. Powl walked the length of the purported discharge areas with Frank Chlebnikow, from RETTEW, and found that the Borough stormwater either discharges to sinkholes or open fields neither of which are located close to

any waters of the Commonwealth. He reported that the Borough will be submitting the required MS4 pollutant reduction plan stating that since the Borough is not discharging to waters of the Commonwealth, the required 10% pollutant reduction of zero is zero. The report highlighting the photos from the walk will be resubmitted along with the required DEP MS4 Permit Application and will indicate that the Borough is officially requesting a waiver based upon the findings contained in the report.

Mr. Powl also shared a letter that Rep. Frank Ryan wrote to President Trump concerning MS4.

8. Street & Alley Maintenance:

- a. N. Duke St. & E. Arch Street - Public Dedication Status Update: Mr. Powl stated that the legal Counsel for the shopping center is finally understanding the municipal requirements for this public dedication and a final agreement should be forthcoming.
 - b. West Oak Street Re-Paving: Mr. Powl informed Council that only one property owner bothered to repair their deficient curbing during the past two years. To not hold-up this project any longer, he asked Council if one more letter could be sent notifying residents that they need to notify the Borough of their intentions to repair any deficient curbing, or the curbing repairs will be included as part of the scope of the project and a lien would be attached to properties where work is done. Council agreed and asked that the letter give the residents two weeks to respond with their intentions.
 - c. East Oak Street & Forge Road Vertical Realignment Project: Mr. Powl reported that the Highway Occupancy Permit has been submitted to PennDOT and the Borough Engineer is working through PennDOT's review comments.
- g. Solicitor's Report: There was no report from the Solicitor.
- h. Zoning & Codes Enforcement: Mr. Powl provided a copy of the March 2017 report from Ed Wenger of Light-Heigel & Associates. There are no hearings scheduled for April 17th.
- i. Borough Manager's Report: Mr. Powl shared information regarding the outstanding loans and the Capital Reserve Balance as of March 31st.

The \$5 million-dollar loan has \$459,000 remaining which is earmarked for Phase A Stormwater Management System. This balance plus the DEP Growing Greener Grant of \$360,000 should cover the cost of constructing the stormwater system. \$1 million dollars of this loan has already been repaid.

The \$3 million-dollar loan has \$464,000 left to draw.

The Capital Reserve Fund only has \$311,925 deposited outside of the loan funds.

Communications

- a. Letter dated 2/7/17 from the Salvation Army inviting municipalities, fire departments, and ambulance services to the Annual Salvation Army Civic Dinner to be held at the Lebanon Expo Center on May 11, 2017 at 5:30 PM.
- b. Letter Dated 4/4/17 from Laura Putt, President, Visit Lebanon Valley, inviting all Lebanon County City, Township, and Borough Commissioners, Supervisors, and Managers to a Visit Lebanon Valley Open House event to be held at 31 S. 8th Street, Lebanon, PA 17042 on Tuesday April 18th from 8:30-10:00 AM.

Other Business

- Councilor Shearer reminded everyone of the Memorial Day Parade on May 29th at 9 AM.

Announcement

President Smith announced that Borough Council will conduct a public meeting on Tuesday, April 25, 2017 and on Tuesday, May 9, 2017 beginning at 7:00 PM.

Motion to Adjourn

Motion to adjourn by Ralph Watts, second by Beth Shearer. The meeting adjourned at 8:52 PM.

Respectfully submitted,

Roger E. Powl
Borough Manager