

Palmyra Borough Council Meeting
Tuesday June 12, 2018
7:00 PM

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

Announcements

President Shearer announced that Borough Council held an executive session on Wednesday, June 6th at 6:00 PM to consult with the Borough labor attorney on personnel issues as permitted by the Pennsylvania Sunshine Act. Any official action resulting from discussions held during the Executive Session will occur at a future public meeting.

Special Visitors

- a. Ronald Hunter, 442 & 444 W. Main Street, appeared before Council to discuss his delinquent sewer/refuse bill. He outlined several issues surrounding his ability to pay and asked for approval to pay \$40 per month knowing that this will take his payment out longer than the 48-month maximum that Council set for repayment plans. Council agreed to the plan, but cautioned Mr. Hunter that the first missed payment will required staff to pursue the Writ of Scire Facias for foreclosure.
- b. Brad Remig of PFM Financial Advisors, LLC, and Ben Ried (Bond Counsel) of Eckert Seamans, updated Council on the possible refinance of the Borough's bank loans via a municipal bond. Mr. Remig explained that the Borough did a great job on the conference call with Standard & Poors (S&P) on May 30th to receive a bond rating of A+. He explained that both the Palmyra Area School District and North Londonderry Twp have AA- bond ratings so, being only one notch below them is good for the Borough and on par with other Central PA boroughs such as Mechanicsburg and Elizabethtown.

Mr. Remig reviewed the five Request for Proposals responses received for Bond Underwriter Services. Council considered all the responses and decided to move forward with RBC Capital Markets. Mr. Remig will contact them on behalf of the Borough.

Mr. Remig explained that since the Borough received an A+ bond rating it would be beneficial to the Borough to purchase bond insurance, which secures a AA bond rating and will enable obtaining and locking-in a lower interest rate for repayment of the bond

Finally, he provided a financing schedule that predicted bond issue settlement for the week of August 6th. However, he advised Council that it is possible to settle earlier if all steps in the process move along smoothly. He explained that the Borough should realize approximately \$20,000 per year in debt payment savings by refinancing through a municipal bond.

Mr. Ried explained that Council will need to act on a "Parameters Ordinance" to comply with the PA Local Unit Debt Act to proceed with the municipal bond issue. He will work with the Borough Solicitor to have it advertised and ready for consideration by Borough Council at the June 26th public meeting.

Public Comment Period #1

- Calvin Kleinfelter, 35 Sycamore Lane, expressed his concern with a courtesy letter he received about grass clippings in the street. He explained that the concrete drainage trough in SE Park is clogged with grass clippings and that should not be allowed to occur if the Borough will be citing residents for grass clippings in the street in front of their houses. He also raised concerns about the overall condition of Southeast Park citing that it used to be beautiful, but it is no longer.
- Brad Miller, 16 Sycamore Lane, also stated his dissatisfaction with receiving a courtesy letter about grass clippings, and demanded an apology from the Codes Enforcement Officer. He also complained about a divot in the street in front of his residence.

- Kim Nicely, 620 N. Railroad Street, was upset that her yard waste cans were tagged for being overweight. She recently purchased thirteen of the yellow yard waste cans from the Borough office. She asked Council to consider adding additional yardwaste collection weeks during the summer months, or selling smaller cans because hers were out in the rain and it made them too heavy. President Shearer asked for this item be included for discussion on the next agenda.
- Barry Powell, 41 N Franklin Street, shared his frustration with the Borough crew for not emptying his yard waste can because it was only 2-pounds overweight at 47-lbs.

Consent Calendar

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

- a. Approve the minutes of the May 22, 2018 Borough Council meeting.
- b. Approve payment of all bills listed on the May 2018 Bill's List.

*Motion: To approve the consent calendar. Motion by Jane Quairoli, second by Joe Templin.
Motion passed*

Action Items

- a. Road Closure Request – Encounter Church Community Block Party:

Motion: To approve the closure of E. Cherry Street between S. Harrison Street and S. Franklin Street on Saturday August 11th from 11:00 AM – 3:00 PM for the Encounter Church to conduct a community block party at Heritage Park. Motion by Josh Holl, second by Jane Quairoli. Motion passed.

- b. Movie Night in the Park:

Motion: To approve the use of Memorial Park by the Palmyra Midget Football Association to conduct a "Movie Night at the Park" on Thursday June 14th, or Thursday June 21st, Friday July 20th, and Friday August 17th. Motion by Jane Quairoli, second by Don Barry. Motion passed.

Reports

- a. President's Report: President Shearer commented that Miss Pennsylvania's reign is coming to an end and she wanted to publicly thank her for representing Palmyra very well.
- b. Financial Report:
 1. Financial Statement: Mr. Powl provided a copy of the May 31, 2018 report.
 2. Delinquent Sewer & Refuse Account Report: Ms. Pera provided a copy of the May 2018 report.
 - a. Sarah Porche - 313 N. College Street: Mr. Pera provided a synopsis of the account from 2008 when Ms. Porche acquired the property. Ms. Porche was requesting absolution of \$3,000 of the outstanding balance because the family that was purchasing the property from her did not pay the bill. She mentioned that she was trying to sell the property. Council recommended a repayment plan until she can get the property sold.
- c. Fire Department: Andy Braden reported Pine Creek Structures is planning to donate an 11 x 17 shed and place it beside the dumpster corral on the west end of the parking lot. They will replace it each year for the cost of \$100 delivery fee. He also mentioned that they are conducting walk throughs with the contractor to remedy some post construction issues with water leaks, epoxy floor coatings, HVAC system, and asphalt paving to the rear of the building before the expiration of the one-year builders warranty.
- d. Police Department: The Mayor and Chief had nothing to report.

- e. Planning Commission - Subdivision & Land Development Plans: The Commission did not meet this month. The next meeting is scheduled for Thursday, July 5, 2018 beginning at 7:00 PM.
- f. Public Works Department: Borough Manager Powl
 1. Superintendent's Monthly Report: Mr. Powl provided a copy of the May 2018 report.
 2. Borough Properties:
 - a. 325 S. Railroad Street - Municipal Building:
 - b. 910 E. Broad Street - Public Works Facility: Mr. Powl reported that the footers for the new building were to be poured, but the weather has not cooperated.
 - c. 40 E. Front Street - Vacant Lot: There was nothing new to report.
 3. Parks: (Heritage Park, Palmyra Memorial Park, and Southeast Park)
 - a. Memorial Park Project Update: Ms. Pera reported that vandals broke the lights that shine on the military flags from the back of the memorial wall. The lights were smashed so hard it snapped the metal and ripped the wiring. The police department is investigating the incident.
 - b. Memorial Park Field Lighting: Mr. Powl reported that OSRAM is expecting to be able to provide a price within the next week.
 4. Refuse & Recycling:
 - a. Councilor Mellinger announced that Eric D. Adams is interested in serving on the GLRA Board. Mr. Powl will have a Resolution prepared for action at the next meeting.
 5. Sewer System:
 - a. ASK Additional Sewer Capacity Request: Mr. Powl reported that Dale Shope is analyzing the cost data provided by NLT and will be meeting with management to discuss the costs.
 6. Sinkholes:
 - a. 25 N. Franklin Street: Mr. Powl reported that the Public Works crew paved the stone area at the injection well and removed the barricades. They eventually will be working on extending a new piping system via Hennessy Way to Injection Well #3 along Division St between N. Harrison St & N. Franklin St. This will enable the permanent closure of the Franklin Street injection well.
 - b. 223 S. Locust Street & PASD Injection Well: Mr. Powl commented that the well driller for the school district contacted the Borough and asked if Public Works could make the vacuum truck available to assist with the drilling. Mr. Powl declined the request because the school board has apparently issued a gag order on this project and will not share information with the Borough. The school district then contacted Mr. Powl directly and requested assistance for which Mr. Powl agreed but, advised them that they would be charged the FEMA equipment rental rate and labor for our staff. The school district understood the Borough's need to recoup costs and agreed.
 - c. 900 Block of E. Cherry Street: A small hole opened along the north curb line. The public works staff excavated the area and worked to dam up the hole with concrete and stone to support the curb. They will continue to monitor the area.
 - d. N. Duke Street & First National Bank (FNB) detention basin: Mr. Powl and Ms. Pera met with representatives of FNB about the sink hole at the injection well at the northwest corner of their detention basin at the Palmyra Shopping Center that is affecting N. Duke Street. FNB granted the Borough permission to run the camera into the well and determined that it only descends 21.5 feet to a dirt bottom with no voids to take water. The video was shared

with FNB. They will be contacting an excavator to develop a short-term solution as well as investigating a more permanent solution with a geologist.

7. Stormwater Management:

- a. 300 Block E. Cherry St & 100 Block S. Grant St Detention Basin & Road Restoration Project: Mr. Powl explained that by approving the change order for the extension of the piping to the new injection well on S. Harrison St, and the request for the replacement of the basin outfall structure, the contractor now has until July 31st to complete all work. He reported that the replacement outfall structure has already been installed.
- b. Phase A Stormwater Management System: (north of railroad tracks - west of N. Grant St.) Mr. Powl reported that each of the Council members should have received a copy of the response letter to the letter they sent Hershey Company CEO Michele Buck. The response was written by Tim Leh explaining that the Hershey Company position will not change and they are opposed to the construction of the wetlands but, do approve of a pipe being installed through their property. Mr. Powl explained that he believed a pipe system would be cost prohibitive but, he has asked the Borough Engineer for a quick review and possible cost estimate to confirm. He also reported that DEP will likely be extending both Growing Greener grants for an additional year to allow the Borough additional time to try and resolve the issues with the wetlands.
- c. Shellbark Alley Drainage System - New Injection Wells: (to the rear of 138 N. Chestnut St)
- d. DEP Municipal Separate Storm Sewer Systems (MS4) Permit - Waiver Status: Mr. Powl reported that the Borough Engineer, Max Shradley of RETTEW, was at a recent DEP conference and had the opportunity to ask DEP about the status of Palmyra's waiver request. DEP responded that it is on their desk and they need to get to it.

8. Street & Alley Maintenance:

- a. 900 Block E. Maple Street Paving (between sinkhole repair & municipal boundary) \$10,730: Mr. Powl explained that North Londonderry Twp was paving E. Maple Street from the municipal boundary to Plaza Drive, and the contractor noticed that this would leave approximately 300-feet between the new pavement and the new pavement the Borough placed previously as part of the sinkhole repairs. The contractor contacted the Borough to see if the Borough would like to have this 300-foot section also paved as part of North Londonderry Twp's project. Mr. Powl requested a quote for the work, and when the cost came in at \$10,730, he submitted for a PennDot job number required for use of Liquid Fuels monies and approved the contractor to do the work. Council agreed with Mr. Powl's decision.

9. Traffic Signals:

10. Other:

- a. Public Works Department Staffing Level: Councilor Templin commented that he witnessed one individual working on the recycle truck and that concerned him. Mr. Powl confirmed that one of the three employees were on vacation and one of the remaining two employees would have been driving the refuse truck to the landfill. Usually the Public Works Superintendent places one of the highway crew on refuse/recycling duties to cover the vacation, but because of current staffing levels, they had nobody they could spare because it was also a street sweeping week.

Council Templin expressed his concern that the public works crew is understaffed.

Councilor Mellinger also expressed concern for this issue due to the residents in attendance at the meeting complaining that the parks are not being maintained, and residents confronting her at home about similar issues.

Mr. Powl explained that when he was first hired in 2007 there was twelve (12) employees in the Highway Department, and seven (7) employees in the Sewer Department. Subtracting the

four (4) employees that were dedicated for running the wastewater treatment plant, there is now eight (8) employees in the combined Public Works Department to do the work that fifteen (15) employees used to do. Mr. Powl explained that he & Public Works Superintendent Plouse were recently discussing possible solutions to the current staffing level question and there is no good cost-effective answer that either could offer. Mr. Powl explained that the biggest burden affecting the Public Works Department is the refuse/recycling collection program because it must be done every day. Mr. Powl explained that he is not advocating one way or the other, however, the answer to the staffing question comes down to whether Council wants to continue operating its own collection program. If so, then Public Works has an immediate need of at least one additional full-time employee.

Councilor Quairoli voiced her opinion that if someone is hired, a job must be cut in another department to compensate for it. Councilor Mellinger explained that this issue cannot be resolved at this meeting so, discussion should continue at future meetings.

g. Solicitor's Report: Solicitor Cleary

1. Commercial Vehicle & Utility Trailer Parking – Mr. Powl explained that the office is receiving complaints about the many trailers, boats, etc. being parked on Borough streets. Consequently, an un-hitched enclosed trailer was parked along N. Chestnut St. near the intersection of E. Broad Street, which caused a young driver to not see the stop sign and crash into the side of our refuse truck. Fortunately, there was only a driver in our truck, with nobody in the jump seat or on the tail boards, or this incident could have been a very bad day. Because of this incident, Mr. Powl & Zoning/Codes Enforcement Officer Bowman searched the Palmyra Code of Ordinances and could find nothing to help enforce requiring un-hitched trailers to be parked off-street. Mr. Powl consulted with the Borough Solicitor, who suggested defining a commercial vehicle (since it is not currently defined), and removing the list of streets in Chapter 350 (Vehicles & Traffic), Section 32 (Parking of commercial vehicles, boats, recreational vehicles, and trailers) to make the parking of commercial vehicles, recreational vehicles, trailers, etc. a borough-wide prohibition, which will require the Borough to post an appropriate level of signage. Solicitor Cleary provided the results of a Commonwealth Court case that ruled that the posting of signs only at the entrances to the municipality is not adequate to inform residents of a no parking ordinance so, some level of signage will be necessary. Chief Jasinski explained that he feels the Solicitor is wrong, and if the change is made, signs will need to be posted on every block of every street.

Due to the late hour, Council agreed to table this discussion until the next meeting to allow more time for the signage issue to be researched.

h. Zoning & Codes Enforcement:

1. Zoning Officer/Codes Enforcement Officer Report: (05/01/18 – 05/31/18)
2. Zoning Hearing Board: Two hearings are scheduled for June 18th at 5:30 PM. Council decided not to take a position on either of the following scheduled hearings:
 - a. 103 N. College Street (Jubilee Ministries):
 - Special Exception – Section 380-38(I)(4)(a) – Alternative off-street parking standards, or, in lieu thereof:
 - Variance – Section 380-74(D) – One space per each 200-sq' of retail sales area
 - b. 520 E. Ridge Road (Salli Properties, LLC):
 - Variance – Section 380- Attachment 1- Table 380-14G – reduce existing non-conforming 22-foot rear yard setback to 12-feet (30-feet required).
 - Special Exception – Section 380-127 – expansion of a non-conforming use (animal hospital)
 - Appeal Zoning Officer's interpretation of Section 380-13 (Definitions) as a veterinarian's office versus the applicants desired classification of animal hospital.

- i. Borough Manager's Report: Mr. Powl did not have anything additional to report.

Communications

- a. Mr. Powl provided a copy of a letter received 5/23/18 from 9-year old Maggie Moore, 30 W. Orchard Dr., seeking permission to operate a lemonade stand to raise money for childhood cancer, and asking the Borough if it could help with a donation. Council approved the lemonade stand, but the PA Borough Code prohibits the Borough from donating. Councilor Quairoli asked Mr. Powl to provide Miss Moore with her e-mail address so that she could communicate to Council when the lemonade stand would be in operation so that they could make personal donations.

Other Business

There was no other business.

Public Comment Period #2:

There were no public comments.

Announcement

President Shearer announced that Borough Council will conduct its next public meetings on Tuesday, June 26, 2018, and Tuesday, July 10, 2018 beginning at 7:00 PM.

Motion to Adjourn

Motion to adjourn by Jane Quairoli, second by Joe Templin. The meeting adjourned at 10:12 PM.

Respectfully submitted,

Roger E. Powl
Borough Manager