

Palmyra Borough Council Meeting
Tuesday March 28, 2023
7:00 PM

President 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, Anthony Catalani, William Garber, Tom Miller, James Tesche, and Jane Quairoli. Also, in attendance were Mayor Fred Carpenter, Police Chief Andy Winters, Borough Manager Roger Powl, and Assistant Borough Manager Brenda Pera.

Special Visitors

Bob Riahi of Millfield Construction and Bill Swiernik of David Miller Associates were present to update Council about the status of the East Ridge - Melrose Phase 1 Plan and possible offsite stormwater management improvements. Mr. Riahi outlined his request for a one-year extension of time for the posting of financial security and to record the final plan. He shared that the current economy is not beneficial to new development, but assured Council that he is willing to move forward with the offsite storm water management improvements that he agreed to implement in good faith for the residents that live on North Grant Street. Mr. Riahi explained that there is a housing shortage and he could come back with a plan to build 74 apartment units to recoup his investment if the plan extension is not approved but that is not what he wants to do and he said he didn't think that is what the Borough wants either.

Council discussed the merits of granting the extension and the storm water project. Councilor Garber asked several questions of Mr. Riahi regarding the storm water improvements. Council Catalani inquired of Mr. Riahi's plans for the next year to keep the plan moving forward so he doesn't make the same request next year. President Shearer noted that she is not in favor of the entire project but assured Mr. Riahi that it wasn't anything personal towards him. Councilor Miller reiterated to Council that if Mr. Riahi isn't provided with the time to prepare for the 54 luxury units, there is a possibility that he could build apartments at the same location due to the zoning change. Councilor Quairoli commented that the only request being made by Mr. Riahi for Council's consideration is the one-year extension. She stated that the discussion of the storm water improvement proposal is completely separate from the extension request.

President Shearer opened the floor to public comments.

- Greg Reed, 233 E Hazel St, mentioned his concern about storm water being diverted through the horse pasture, He said water in that stream course is not making it to the sinkhole south of E. Spruce Street by the railroad tracks. A new sinkhole was created as a result of blasting for the Orchard Hill development about halfway down the stream course so, he thinks sending extra water to that location would be irresponsible.
- Casey McCloskey, 200 E Ridge Road, inquired about the infiltration design of the detention basin proposed on the development plan that will be located directly across the street from his property.

Motion: To grant a one (1) year extension of time from May 31, 2023 until May 31, 2024 for the developer to post financial security for the project, and to record the final plans at the County courthouse. Motion by James Tesche, second by Jane Quairoli. President Shearer asked for a roll call vote.

<i>Councilor Barry</i>	-	<i>Yes</i>
<i>Councilor Catalani</i>	-	<i>Yes</i>
<i>Councilor Garber</i>	-	<i>No</i>
<i>Councilor Miller</i>	-	<i>Yes</i>
<i>Councilor Quairoli</i>	-	<i>Yes</i>
<i>Councilor Tesche</i>	-	<i>Yes</i>

Councilor Shearer - No

The motion passed by a 5-2 vote with William Garber and Beth Shearer voting against the motion.

Public Comment Period #1

Dave Weaver, 214 Java Avenue, Hershey PA, presented Council with information regarding the Javapalooza event to be held in Derry Township on June 24, 2023 with a special invitation to all first responders.

Consent Calendar

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

- a. Approve the minutes of the March 14, 2023 Borough Council meeting.
- b. Approve payment of all bills listed on the February 2023 Detailed Check Listing Report.
- c. Approve the Treasurer’s Report for the period February 1 through February 28, 2023:

	General Fund	Sewer Fund	Refuse Fund	Capital Reserve Fund	Special Sewer Fund	Liquid Fuels Fund
YTD Revenue	\$348,555	\$398,928	\$264,522	\$4,361	\$11,758	\$123
YTD Expenses	\$411,533	\$282,777	\$195,070	\$149,334	\$0	\$0
Difference	\$(62,978)	\$116,151	\$69,452	\$(144,973)	\$11,758	\$123
Fund Balance	\$607,479	\$220,395	\$228,898	\$1,675,808	\$2,114,774	\$57,087

	Library Fund	Police Health Care Fund	Joint Fire Apparatus Fund	Cemetery Fund	Employee Benefits Fund	Fire Protection Tax Fund
YTD Revenue	\$194	\$0	\$436	\$95	\$1,500	\$15,529
YTD Expenses	\$0	\$8,309	\$0	\$0	\$0	\$19,621
Difference	\$194	\$(8,309)	\$436	\$95	\$1,500	\$(4,092)
Fund Balance	\$2,108	\$297,246	\$201,837	\$43,816	\$537,681	\$2,239

Motion: To approve the consent calendar. Motion by James Tesche, second by Don Barry. Motion passed.

Action & Discussion Items

- a. Road Closure Request – Your Financial Community 40th Anniversary Block Party:

Motion: To authorize the closure of South Lincoln Street between East Main Street and East Cherry Street on Saturday August 5, 2023 from 9:00 a.m. – 6:00 p.m. in order for Your Financial Community to celebrate their 40th Anniversary by hosting a block party with food, games, and live music for their clients, staff, and neighbors. Motion by Jane Quairolì second by William Garber. Motion passed.

- b. Resolution #2023-08 – Intermunicipal Charter Agreement – Western Leb. Co. Regional Police:

Motion: To approve Resolution #2023-08, authorizing the Township of Annville and the Borough of Palmyra to enter an Intermunicipal Charter Agreement to provide for the formation of the Western Lebanon County Regional Police Commission. Motion by Don Barry, second by Beth Shearer. Motion passed.

Reports

- a. President's Report: President Shearer did not have a report.

- b. Financial Report:

1. Financial Statement: Mr. Powl provided a copy of the February 2023 report.
2. Delinquent Sewer & Refuse Account Collection:

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

- *Shawn Feather, 516 W Main St, for a delinquent balance of \$3,966.49*
- *Jason Umholtz, 710 N Railroad St, for a delinquent balance of \$3,343.15*
- *Catia Leader & Abel Barrete, 529 S Grant St, for a delinquent balance of \$2,789.49*
- *Thomas Van Scyoc, 695 W Cherry St, for a delinquent balance of \$2,242.65*
- *Ryan & Leigha Matthews, 400 S Duke St, for a delinquent balance of \$2,152.48*

Motion by William Garber, second by Jane Quairolì. Motion passed.

- c. Fire Department: There was no report
- d. Library Report: Councilor Quairolì did not have a report.
- e. Police Department: Chief Winters provided a summary of the February 2023 report. Mayor Carpenter thanked the Police Department for helping him when he fell at home.
- f. Recreation Commission: Councilor Quairolì provided a copy of the March 2023 report.
- g. Solicitor's Report:
1. Zoning Hearing Board Decision Appeal – 511 Red Haven Rd (Gerber) - Mr. Powl advised Council that Solicitor Cleary filed everything required with the Lebanon County Court of Common Pleas for the appeal and is hoping for an early May court date.
- h. Borough Manager's Report:
1. Zoning Enforcement Action – 320 W. Main Street (Filling Station – Mrakovich): Mr. Powl reported that the work shown on the plan has begun and the project should be finished by the end of next week.
 2. Ms. Pera informed Council that the \$90,000 Grant request from the Lebanon County Conservation District County Action Team funding (CAP) was approved for MS4 Bio-Swale project. The Borough Engineer has completed the survey and should have everything ready for bid in late summer. The easements for the project will need to be developed by the Solicitor.

3. Mr. Powl stated that the pre-paving meeting with Pennsy Supply is scheduled for tomorrow, March 29th. The contractor should start in May.
4. Ms. Pera told Council that Borough staff completed another comprehensive clean out of old documents while following the retention manual provided by the Pennsylvania Historical and Museum Commission. The schedule outlines what local government records are required to be kept and the length of time for retention. The manual also outlines the rules for archiving digital records to eliminate the need to keep paper records. Ms. Pera has been working with the IT company on establishing the requirements for electronically archived documents. Council will need to approve a letter to be sent to the Pennsylvania Historical and Museum Commission stating that the Borough will be following their guidelines to enable electronic archiving of records. Ms. Pera will have more information on this subject available at a future Council meeting.

Other Business

- Chief Winters inquired if the Borough Solicitor will need to provide a final copy of the Intergovernmental Agreement for the regional department.
- Council Garber asked if the magazine recycling dumpster is still located by the Public Works building, and Mr. Powl responded in the affirmative.
- Council Barry questioned if there are any parking issues at N. Forge and E Broad as a result of the new coffee shop located in the former Food Emporium building.

Public Comment Period #2

There were no comments.

Announcement

President Shearer announced that Borough Council will conduct its next public meetings on Tuesday, April 11, 2023, and Tuesday, April 25, 2023 beginning at 7:00 PM.

Motion to Adjourn

Motion to adjourn the meeting by Jane Quairola, second by William Garber. The meeting adjourned at 8:44 PM.

Respectfully submitted,

Roger E. Powl
Borough Manager