

Palmyra Borough Council Meeting
Tuesday, March 27, 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, Mark Smith, 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 Comment Period #1

- Richard Lewis, 151 N. Franklin St, asked Council to do something about his neighbor that will not clean up after his dog. Council asked Mr. Powl to research if anything can be done about this issue.
- Deann Silks, 27 N. Harrison St, asked Council to adopt a cat ordinance to control cats.
- Bill Zeiders, 333 E. Main St, shared several issues that concern him and presented Council with a letter that he wanted included in the minutes. Ms. Pera asked him if he wanted this included verbatim and Mr. Zeiders consented. The following is the letter as presented to Borough Council:

"I am here to speak about Retaliation. I came and made boro Reps aware of the dumpster problem next door (400 Block e. main. St.) and some other trash related problems in are neighborhood than a couple of weeks later, I get notice about my hedges in alley and pictures. While taking the pictures person that took them Trespassed on my property that I witness. Later to find out person who trespassed was boro worker. Useing his personally phone to take pictures on company time. So why do we have codes enforcer, if boro workers are doing her job, which is not in their duties. If this would have went to court that worker would have had to be there to verify the pictures and cost us extra money that we pay codes enforcer got. This seems like a plain case of retalization Harrassment. Then when I contacted Palmyra Police they miss queted the law and refuse to do anything. The patrolmen told me they were told by their bosses. So then I went to talk to Cheif, who would not talk to me and I kept being refered to his next in command, who keep miss informing me o the law and would not do nothing. I even talked to Roger Pyle who said they were wrong. Now this keeps taking me back to a statement that Fred Carpentar (mayor) made that law officials don't like me. Makes me wonder then is that why they won't properly do their job and keep mis queting the law. I have talked to a attorney and he also stated they are wrong. As you know my property is kept perfect and there is cars and other factors sticking out fater than my proper trimmed hedge. And other alleys worse too. But they chose to pick or Harras me instead. They also sent a ordance that did not apply and I am also grandfathered before it also. None of the other people were contacted, just sent me alone a letter. This is why so many people are afraid to say anything in this town, because of the retalization factor of people on the Boro. To bring up more to Boro workers should not be hanging of garabage truck without harness while it is in motion. This is against the vehcle code and unsafe practice. They should also be made to wear hard hats as another safety factor. Raising of dumpsters over their heads with no protection and possible equipment malfunction. I also think the min. from boro meeting should contain more facts of what outsiders present to boro counsel. It tells no facts as all, IT is nothing more than a roll call for outside people who attended the meeting. Just stating like Bill Zeiders complained or so and so complained. When it may not have been a complaint at all and just a statement. Back to the Issue with speaking to the Cheif have asked at least 4 time to no success. I know of at least 2 others that have been denied also. When his officers

are miss informed, we have no next step because he will not talk to you. Also enclosed with this letter are pictures of worse alleys and worker hanging off truck while on public roads. Pictures of these worse hedges the people were not even confronted, cause I talked to them”

- Barry Powell, 41 N. Franklin St, took exception to some of Mr. Zeider’s comments and expressed his support for the refuse workers.

Consent Calendar

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

- Approve the minutes of the March 13, 2018 Borough Council meeting.
- Approve the Treasurer’s Report for the period February 1 through February 28, 2018:

| | General Fund | Sewer Fund | Refuse Fund | Capital Reserve Fund | Special Sewer Fund | Liquid Fuels Fund |
|--------------|--------------|------------|-------------|----------------------|--------------------|-------------------|
| YTD Revenue | \$286,217 | \$369,979 | \$204,760 | \$436 | \$1,411 | \$213 |
| YTD Expenses | \$468,415 | \$176,725 | \$154,370 | \$9,424 | \$0 | \$0 |
| Difference | \$(182,198) | \$193,254 | \$50,390 | \$ (8,988) | \$92 | \$213 |
| Fund Balance | \$1,740,320 | \$540,822 | \$333,494 | \$1,072,048 | \$2,291,462 | \$527,528 |

| | Library Fund | Police Health Care Fund | Town Square Reserve Fund | Joint Fire Apparatus Fund | Cemetery Fund | Employee Benefits Fund |
|--------------|--------------|-------------------------|--------------------------|---------------------------|---------------|------------------------|
| YTD Revenue | \$142 | \$76 | \$2 | \$131 | \$17 | \$107,010 |
| YTD Expenses | \$0 | \$8,833 | \$0 | \$0 | \$0 | \$70,065 |
| Difference | \$142 | \$8,758 | \$2 | \$131 | \$17 | \$36,945 |
| Fund Balance | \$1,735 | \$180,805 | \$4,748 | \$323,909 | \$41,069 | \$36,945 |

Motion: To approve the consent calendar. Motion by Carissa Mellinger, second by Jane Quairolì. Motion passed.

Action Items

- Stormwater Management System Phasing Plan: Determine which Phase should be given highest priority for updated engineering cost estimates should the Phase A Ridge Road Park Wetlands project fall through. Council agreed that Phase B2 and B5 are the two areas that have significant problems that they would like Rettew to update the cost estimates. Council also decided that if Rettew can update all the cost estimates, for little additional cost, they would appreciate that as well.
- Resolution #2018-20 – Appoint Zoning Hearing Board Member:

Motion: To approve Resolution #2018-20, a resolution appointing Tara D. Betz as a regular member of the Palmyra Zoning Hearing Board, who shall serve a new three (3) year term expiring December 31, 2020. Motion by Mark Smith, second by Jane Quairolì. Motion passed.

- c. 47-49 E. Cherry Street - Dumpster Situation: Amend Chapter 314, Article V, of the Palmyra Code of Ordinances to enable Council to grant waivers for the placement of refuse/recycling dumpsters within a public right of way?

Mr. Powl informed Council that Public Works Superintendent Plouse met with the property owner and determined that an asphalt ramp located within the assumed 20-foot no parking zone from the stop sign at S. Chestnut Street & E. Cherry Street would eliminate the need to remove parking spaces on the block and would allow for the Refuse Crew to easily and safely empty the dumpsters. The property owner will move the dumpsters to the southeast corner of the building so they are accessible for collection. This will also allow 2-yard dumpsters to replace the current 1-yard dumpsters which should help the current overflowing dumpster conditions.

- d. Municipal Building – Updated Cost Proposal for HVAC Re-Work: (Amount Budgeted = \$11,930)

Motion: To approve the revised proposal submitted by Haller Enterprises, Inc. in the amount of \$12,344 for the work needed to place the Magisterial District Judge Offices on their own heating and cooling zone, and to expense this cost from Capital Reserve Fund Budget Line Item #30.409.600. Motion by Jane Quairoli, second by Mark Smith. Motion passed.

Reports

- a. President's Report: President Shearer did not have a report.
- b. Library Report: Councilor Quairoli provided a copy of the Library report.
- c. Police Department: Mayor Carpenter and Chief Jasinski did not have anything to report.
- d. Solicitor's Report: There was nothing to report from Solicitor Cleary
- e. Zoning Hearing Board: Mr. Powl shared the results of hearing conducted Monday March 19th
1. 300 S. Duke Street – Moyer:
 - Variance: Section 380-76.B(1) - Fences & Walls – to enable a 4-foot high fence to be installed in a front yard area versus the 3-foot high maximum required. Approved.
 2. One (1) Alternate Zoning Hearing Board Member is still needed
- f. Borough Manager's Report:
1. 300 Block E. Cherry St / 100 Block S. Grant St Stormwater & Road Restoration Project: Mr. Powl reported that the contractor is finishing the pipe & inlet work along S. Lincoln Street. He also reported that the Borough Engineer doesn't believe the project will be finished by May 30th, but he also doesn't believe it will go much beyond this date.
 2. Phase A Stormwater Management System: (north of railroad tracks - west of N. Grant St.) Mr. Powl updated Council on his recent conversation with the Governmental Affairs Representative from The Hershey Company. Mr. Powl was told that The Hershey Company leased the Ridge Road Park land to the School District, but Mr. Powl countered that the land was sold to the School District for \$1.00 according to the recorded Deed, and accompanying sales agreement. There are too many misunderstandings about this property and the goal is to get the solicitors together to work out the details so that The Hershey Company executives can make more informed decision.

Additionally, Representative Frank Ryan met with the School District and informed them that there are setbacks required for wetland areas and The Hershey Company is concerned that these setbacks would affect their property. Mr. Powl confirmed with DEP that the alleged setbacks do not exist. Efforts continue to keep the Growing Greener grant in play and bring the project to fruition.

3. S. Locust Street Sinkhole: Mr. Powl reported that a new hole opened in the street further north of the original sinkhole and the public works crew addressed the area. The School District intends to contract directly with ARM Group to study new locations for an injection well.
4. N. Franklin Street Sinkhole: Mr. Powl commented that with the pipe costs of \$6,265, and inlet costs added in, the material costs should be around \$10,000 to capture and pipe the stormwater to Injection Well #3 so that the unregistered N. Franklin Street injection well can be closed.
5. FEMA Flood Insurance Rate Map (FIRM) Update: Mr. Powl received the updated draft FIRM maps from FEMA for review. The draft maps show a portion of the extreme southwest corner of the Borough being added to the FIRM maps. No portion of the Borough is currently indicated on any of the FIRM map panels. He explained that FEMA used data from Tropical Storm Lee to update their computer models, which were then used to update the maps. He informed FEMA that he believes the maps are in error because Spring Creek is still mapped as running near the very southwest corner of the Borough, which it does not, and the new modeling increases the floodplain around Spring Creek. He argued that Spring Creek is further west of the Borough in Derry Township and the area in question on the map are dry drainage swales that only have water during a rain event. When water is in this area, it does not discharge to a creek, but rather a very large sinkhole in Derry Township. He sent documentation to FEMA supporting his claim and was assured by the FEMA representative that they would look at the area to possibly revise the mapping. If it is determined that this area should remain in the floodplain, then the Borough will be required to pass a floodplain ordinance and name a floodplain coordinator.
6. Snowplows: Mr. Powl recently rode along with the Public Works Superintendent Plouse during a snow event and witnessed the rate of speed at which the snow was coming off the edge of the plow even though the vehicle was only traveling at a speed of 15-20 m.p.h. He determined that the plows being used are designed for clearing highways, therefore, the Borough may be using the wrong shape plow blade. Plows designed for snow removal in more urban environments are taller and straighter edged that allows the snow to fall off the edge rather than being thrown in a vortex manner. Efforts are underway to determine the price of switching the current blades with the straighter plow blades.
7. Mr. Powl received a request from the Palmyra Congregation of Jehovah's Witnesses to hand out literature at the Town Square on Saturday mornings. Mr. Powl consulted the Borough Solicitor and determined that they are permitted to hand out material provided they are not blocking the sidewalk or impeding traffic. Council was concerned for the open-ended request and asked Mr. Powl to find out how long they plan to be at the Town Square.

Other Business

- President Shearer reported a pothole at the Arch & Forge Streets intersection.
- Councilor Holl asked Mr. Powl to have the Fire Station signs removed from Main Street.

Public Comment Period #2

- Bill Zeiders, 333 E. Main St, offered his experience on the different type of snow plows.

Announcement

President Shearer announced that Borough Council will conduct a public meeting on Tuesday, April 10, 2018 and on Tuesday, April 24, 2018 beginning at 7:00 PM.

Motion to Adjourn

Motion to adjourn by Jane Quairola, second by Mark Smith. The meeting adjourned at 8:28 PM.

Respectfully submitted,

Roger E. Powl
Borough Manager