

Palmyra Borough Council Meeting  
Tuesday August 14, 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, Jane Quairola and Joe Templin. Also in attendance were Borough Manager Roger Powl, Assistant Borough Manager Brenda Pera, and Chief Stan Jasinski. Carissa Mellinger, Mark Smith, and Mayor Fred Carpenter were absent from the meeting.

Public Comment Period #1 - There were no public comments.

Consent Calendar

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

- a. Approve the minutes of the July 24, 2018 Borough Council meeting.
- b. Approve payment of all bills listed on the July 2018 Bill's List.

*Motion: To approve the consent calendar. Motion by Josh Holl, second by Don Barry. Motion passed.*

Action Items

- a. Ordinance #787 – Amend Noise Ordinance - Define “Noise Creating Devices”:

*Motion: To enact Ordinance #787, an ordinance amending Chapter 241 (Noise) of the Code of Ordinances of the Borough of Palmyra to define a “noise creating device” and establishing time periods when a noise creating device may be used. Motion by Jane Quairola, second by Don Barry. Motion passed.*

- b. Ordinance #788 – Create New Chapter 196 (Fireworks) to the Code of Ordinances:

*Motion: To enact Ordinance #788, an ordinance creating a new Chapter 196 (Fireworks) to the Code of Ordinances of the Borough of Palmyra to regulate the use of fireworks within the Borough and prescribing penalties for violation thereof. Motion by Josh Holl, second by Jane Quairola. Motion passed.*

- c. Resolution #2018-26 – Escalator Clause for Road Materials/Paving Bidding Documents: Mr. Powl explained that the paving will likely not be completed until the 2019 calendar year. He explained that the Borough would likely receive a better bid with an escalator clause in place because, the bidders can bid on known costs today and if the price of oil increases or decreases before the work starts, then the bid prices are adjusted accordingly. The Solicitor advised to delay the bid due date so that the Borough can have an Escalator Clause included in the bid documents as required. Mr. Powl extended the bid deadline by one week and will add an addendum to the bid documents.

*Motion: To approve Resolution #2018-26, a resolution stating the necessity of inserting an escalator clause in the Borough's bid documents and contracts for road materials and paving projects during 2018. Motion by Jane Quairola, second by Joe Templin. Motion passed.*

Reports

- a. President's Report: President Shearer extended a thank you to Borough staff for their efforts in handling the needs of residents during the recent flooding.
- b. Financial Report:
  1. Financial Statement: Mr. Powl provided a copy of the July 2018 report.
  2. Delinquent Sewer & Refuse Account Report: Ms. Pera provided a copy of the July 2018 report.
- c. Fire Department: Councilor Holl announced that the shed had been delivered.

d. Police Department:

1. Resolution # 2018-25 - Amendment to Palmyra Civil Service Rules & Regulations:

*Motion: To approve Resolution #2018-25, a resolution to approve amendments to the Palmyra Civil Service Rules & Regulations as recommended by the Palmyra Civil Service Commission. Motion by Jane Quairolì, second by Don Barry. Motion passed.*

2. Chief of Police Search:

*Motion: To approve the proposal submitted by Safecity Solutions, LLC, 716 Hopewell Street, Birdsboro, PA 19508 in the amount of \$13,150 to conduct a search for and determine the top two to three candidates to be interviewed by the Borough for consideration as the next Chief of Police. The cost for this expense shall be charged to General Fund budget line item number 01.410.310. Motion by Josh Holl, second by Jane Quairolì. Motion passed.*

3. Trick-Or-Treat Night:

*Motion: Upon recommendation from the Palmyra Police Chief, and the Lebanon County Police Chief's Association, Trick-Or-Treat Night shall be held in the Borough on Wednesday October 31<sup>st</sup> from 6-8 PM in conjunction with Countywide Trick-Or-Treat Night. Motion by Don Barry, second by Jane Quairolì. Motion passed.*

e. Planning Commission - Subdivision & Land Development Plans: The Commission did not meet this month. The next scheduled meeting is Wednesday, September 5, 2018 beginning at 7:00 p.m.

Mr. Powl did advise Council that Jim Hartman, Commission Chairman, submitted his resignation because he is moving to North Londonderry Township. Council will need to fill the vacancy.

f. Public Works Department:

1. Superintendent's Monthly Report: Mr. Powl provided a copy of the July 2018 report.

2. Borough Properties:

- a. 325 S. Railroad Street - Municipal Building: Mr. Powl reported that one of the HVAC ducts was sweating in the Police Department and dripped on the floor. Insulation has been wrapped around the duct to hopefully prevent this situation from happening again.
- b. 910 E. Broad Street - Public Works Facility: Mr. Powl commented that the masons have finished laying the block. The steel for the building should soon start to be erected.
- c. 40 E. Front Street - Vacant Lot: Mr. Powl contacted RETTEW to have them do the testing for remaining environmental issues. The sampling and analysis could take 4-6 weeks.

3. Parks: (Heritage Park, Palmyra Memorial Park, and Southeast Park)

- a. Memorial Park Project Update: Ms. Pera informed Council that she met with the Bowman Trust Committee to determine support for proposed updates to the park. She hopes to hear something within the next two weeks.
- b. Southeast Park: Mr. Powl reported the water fountain has been repaired and is back in service.

4. Refuse & Recycling:

- a. Mr. Powl reiterated the impending recycling crisis. The County Recycling Coordinator has informed all haulers that the recycling market has collapsed and that the items that have been recycled will now need to change. Also, it is likely that Waste Management will be closing their recycling transfer station in the Borough. This is more troublesome for the Borough

because there is currently no charge to the Borough for dumping recyclables at the transfer station.

Mr. Powl stated that the Borough will either need to drive to Reazer's in Lebanon to dump recyclables at \$75 per ton, or drive to Penn Waste in Manchester (York County) to dump recyclables at \$40 per ton. This will require the Borough to raise rates immediately in addition to hiring at least two new employees to handle recycling.

Mr. Powl outlined two options, 1) maintaining the refuse/recycling service in house by hiring new employees and raising refuse rates immediately, or 2) seeking bids for contracting collection services with a private hauler.

Councilor Templin suggested a public meeting to assess the desires of the residents. President Shearer asked if a robocall could be created to announce the public meeting. Council agreed to hold the discussion on options during the August 28<sup>th</sup> meeting.

5. Sewer System: There was nothing to report.
6. Sinkholes:
  - a. 25 N. Franklin Street: Mr. Powl stated that the Public Works Crew plans to extend new piping via Hennessy Way to Injection Well #3 along Division St between N. Harrison St & N. Franklin St when time permits.
  - b. 223 S. Locust Street & PASD Injection Well: Mr. Powl informed Council that the School District intends to drill two more wells around the practice field. If these two additional wells do not result in a higher intake capacity, Mr. Powl expects the School District to seek cooperation from the Borough to drill a new well in the S. Locust Street area.
  - c. 900 Block of E. Cherry Street: There was no new sinkhole, but Mr. Powl reported that several washouts keep occurring at the corner of the detention basin and E. Cherry Street. Water jumps the curb and flows into the basin from the street level during heavy storms.
  - d. N. Duke Street & First National Bank detention basin: Mr. Powl reported that the bank is working with the ARM Group to determine a good spot for an injection well. The current inlet is not an injection well but is in an area where former contractors dug down about 30 feet for water to disburse underground. This old thought process has contributed to sinkholes in the Borough and they need to be reconstructed deeper. The bank is keeping the Borough apprised of their resolution.
  - e. Town Square: Mr. Powl was contacted by Light-Heigel concerning storm water upgrades at the Square in the parking lot of 8 W. Main Street. He met with Light-Heigel and Quentin Miller, NP 1 VENTURES LLC, on site to discuss changes. The Borough has a light post that has been leaning into what looks like a sinkhole depression.

Mr. Miller informed Mr. Powl that his deed shows him as the owner of the first parking space by the square. The County GIS system shows the owner of the parking space as the Borough. Light-Heigel will be surveying the area for a determination of the rightful owner.
  - f. Plum Alley (to the rear of 221 E. Maple Street): Mr. Powl indicated that Dr. Seaton did some geophysical testing in this area and determined that grouting may not be necessary. It seems like there are a few soft areas in this location that may need to be addressed, but he didn't believe any further remediation was required. The Public Works staff has been keeping an eye on the area.
  - g. 976 E. Maple Street (under fire hydrant): The homeowner contacted the Borough office about a sinkhole that opened under the fire hydrant in front of his residence. Mr. Powl has indicated that the issue is between the property owner and the water company. However, Mr. Powl has been checking on the situation because he was concerned that it would affect the roadway. The hole is in the process of being remediated.

- h. 304-306 W. Cherry Street: The heavy rains at the end of July caused a hole to open in the backyard of 304-306 W. Cherry St. The sewer lateral was affected by the sinkhole. Since this is on private property, the homeowner will need to address the issue.
  - i. West of Sewer Pump Station #3 Access Road West of N. Locust Street: A sinkhole opened beside the lane to the Borough pump station. Contact was made with the property owner and it will be addressed.
  - j. 40 E. Front Street: A small worm hole opened on the property. The public works staff is keeping an eye on the situation.
  - k. First Block N. Lincoln Street: This sinkhole is the responsibility of the property owner because it opened between curb & sidewalk near North Ave.
  - l. 500 Block S. Duke Street: A small hole opened along the east curb line, but it has been repaired by the Public Works Crew.
7. Stormwater Management:
- a. 300 Block E. Cherry St & 100 Block S. Grant St Detention Basin & Road Restoration Project: Mr. Powl informed Council that RETTEW, ARM Group and Mr. Powl met with Eric Ankiewicz to discuss the ongoing project. Mr. Ankiewicz claims there are 67-days on the calendar in which his progress has been affected by the weather. Mr. Powl explained that the engineers reviewed the various deficiencies that exist with the project and what steps Ankiewicz needs to take to correct those deficiencies. Mr. Powl also explained that Ankiewicz has never submitted a project schedule, which was requested again, and Ankiewicz agreed to provide a schedule.  
  
Mr. Powl explained that additional inlets and piping need to be installed to maximize the stormwater capture to the new detention basin. He asked Council if they would like a price from Ankiewicz, or should the Borough wait until next year to get a price for installation, or possibly install ourselves. He cautioned that if the new inlets and piping are delayed then, freshly paved roads are going to be dug into when the pipes and inlets are installed, which may be seen as a waste by the taxpayers. Council agreed that the emphasis needs to be to get Ankiewicz to finish what is on the current contract and get the roads re-opened. They were also in agreement to postpone the additional pipe & inlet installation. They were not in favor of giving any additional work to Ankiewicz Enterprises, Inc.
  - b. Phase A Stormwater Management System: (north of railroad tracks - west of N. Grant St.) Mr. Powl reached out to Mr. Leh of The Hershey Company to inquire about their willingness to cooperate with the installation of storm pipes along the railroad tracks to discharge to the quarry. This idea was originally suggested by Mr. Leh and, having exhausted all options with the Growing Greener Grant from DEP for a stormwater basin, Mr. Powl thought it might be a last-ditch effort to assist the residents of N. Railroad Street with stormwater. Mr. Leh took the request to the financial committee of The Hershey Company and responded to Mr. Powl that the company has no plans to expand the distribution center and will not participate in assisting with the cost of any storm pipe installation.  
  
Mr. Powl asked Mr. Leh if the company would consider revisiting the original stormwater plan since they have informed the Borough that they will not be expanding the distribution center.
  - c. Shellbark Alley Drainage System - New Injection Wells: (to the rear of 138 N. Chestnut St) The inlets have been installed and the Public Works staff needs to connect the storm pipes.
  - d. DEP Municipal Separate Storm Sewer Systems (MS4) Permit - Waiver Status: There has been no update from DEP on the waiver request.
8. Street & Alley Maintenance: There is nothing new to report.

- g. Solicitor's Report: There was nothing from the Solicitor.
- h. Zoning & Codes Enforcement:
1. Zoning Officer/Codes Enforcement Officer Report: Mr. Powl provided a copy of the July 2018 report.
  2. Zoning Hearing Board: (Hearings scheduled for August 20<sup>th</sup> at 5:30 PM)
    - a. 108 E. Front Street – Curvin S. Wenger:
      - Variance – Sec. 380-21.B (Uses Permitted By Right) to construct a single-family detached dwelling in the Light-Industrial District.
    - b. 320 W. Main Street (The Filling Station) – Michael, Connie, and Nathan Mrakovich:
      - Variance – Table 380.E (MU District Area & Design Requirements). Lot coverage. The ordinance allows for a maximum of 70%, the existing is 73%, and the proposed will be 74% if granted.
- Council did not have any issues with either of these applications. However, they agreed that The Filling Station should be sampling their waste water due to the expansion of the donut business.
- i. Borough Manager's Report: Mr. Powl had nothing else to report.

#### Communications

- Invitation: Pennsylvania American Water Reception, Wednesday September 12, 2018 from 5:45-7:00 p.m., at Hotel Hershey (Blue Mountain Room), 100 Hotel Road, Hershey, PA 17033. RSVP by August 31<sup>st</sup>.
- Letter dated July 20, 2018 from Claire M. Hall, 735 E. Cypress Street.
- Letter dated August 5, 2018 from Jackie Englebach, 201 W. Oak Street.

#### Other Business

- Councilor Quairoli commented on the projected value of the now defunct 2012 Dodge police vehicle.
- Councilor Quairoli requested an Executive Session prior to the next Council meeting.

#### Public Comment Period #2

There were no public comments.

#### Announcement

President Shearer announced that Borough Council will conduct its next public meetings on Tuesday, August 28, 2018, and Tuesday, September 11, 2018 beginning at 7:00 PM.

#### Motion to Adjourn

*Motion to adjourn by Jane Quairoli, second by Josh Holl. The meeting adjourned at 8:24 PM.*

Respectfully submitted,

Roger E. Powl  
Borough Manager