

Palmyra Borough Council Meeting
Tuesday September 25, 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 Borough Manager Roger Powl, Assistant Borough Manager Brenda Pera, Mayor Fred Carpenter and Chief Stan Jasinski.

Announcements

President Shearer announced that Borough Council held an Executive Session on Tuesday September 18th at 5:30 p.m. to discuss a personnel matter 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.

Election of Council Vice-President

- a. Nomination Process: (Robert's Rules of Order – 10th edition) - President Shearer called for nominations for Council Vice-President. President Shearer nominated Carissa Mellinger. There were no other nominations. President Shearer closed the nominations and declared Carissa Mellinger as Vice-President by unanimous consent.

Public Comment Period #1

- Clair Hall, 735 E. Cypress Street, asked for a detailed report on codes enforcement. Council asked that the code enforcement report be included in the quarterly newsletter. She also referred to a letter she mailed addressed to the Council President. She has never received an answer and demanded a response within 3-weeks.
- Ryan Kelly, 134 N. Chestnut Street, addressed the audience regarding comments made about the Borough being unfriendly to businesses.
- Jonas Neidig, 227 W. Oak Street, asked Council to consider fining the contactor working on the East Cherry Street detention basin.

The following individuals provided comments on the refuse & recycling issues:

- Greg & Maddie Reed, 233 E. Hazel Street
- Crystal Shifflett, 133 N. Penn Street
- Gary Laudermilch, 30 W. Ridge Road
- Deann Silks, 27 N. Harrison Street
- Kevin Fuhrman, 734 E. Cypress Street
- Rodney Long, 120 W. Ridge Road
- Barry Powell, 41 N. Franklin Street
- Bill Zeiders, 333 E. Main Street

Mr. Zeiders also informed Council that the Borough “sucks” and presented a letter to Borough Council and asked that it be placed in the minutes as presented:

I am writing you the Boro of Palmyra on this 25th day of September in the year of 2018 to notify and inform you that if any damage occurs to our property on 333 east main st. Palmyra Pa. 17078 due do you putting well anround our property and invading the ground under that imaginary line that you speak of in your ordinance's of our property you (Palmyra Boro and the borough council members will be held liable for any and all damages cause by the injection well. Since there has been so many untruths from the representatives of the boro ,the real truth is hard to find out.1. the lie about the broken sewage pipe in Alice Alley,that was said to be a scheduled repair,that was found out to be a break when working by it.2, when you said (Roger Pyle) that if the men working open up a street they cover it with a steel plate and not 4 hours later,they left a open hole in the street open with no plate and went home with a hurricane headed our way. 3. you said also you have your man checking and making sure they were doing things to specs. That did not happen or there would have not been a open hole left uncovered. 4th item of

doubt comes from your engineer himself when he was trying to take a compaction test in the middle of winter in 20 degree weather on frozen ground which is impossible when it froze. To add more to this since you started this work we had sinkholes open all around us. Our property has been stable for over 25 years or better now with no problems. So if this starts to occur do to you adding these new things in our area to destabilize the ground we will personally hold all parties above responsible for damage and the devaluation of our property and take legal action as of now you are notified.

And further more with the Hazmat pile located only 3 blocks from your injection well and ground contamination will be deemed the Palmyra borough fault and responsibility. Also you were informed that on days of heavy rain water was coming out of the injection well you planned to use. Showing it cannot hold the water you will be adding by tying it into the system causing more erosion to the local ground. When you (Palmyra Borough) was asked about where this water is going, you said you have no idea, which shows me one more lack of faith in you so called engineers!!

You are advised of this date to find another solution to this water problem and not invade or vandalize our properties and cross that underground imaginary line onto our properties. You first need to get a sure definite study where that water is going when it enters the ground

thank you
 BILL ZEIDERS
 333 east main st.
 Palmyra, Pa. 17078

Consent Calendar

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

- a. Approve the minutes of the September 11, 2018 Borough Council meeting.
- b. Approve the Treasurer's Report for the period August 1 through August 31, 2018:

	General Fund	Sewer Fund	Refuse Fund	Capital Reserve Fund	Special Sewer Fund	Liquid Fuels Fund
YTD Revenue	\$2,877,045	\$1,273,644	\$659,063	\$948,222	\$14,742	\$230,649
YTD Expenses	\$2,822,392	\$587,175	\$447,608	\$365,418	\$371,441	\$20,619
Difference	\$54,653	\$686,468	\$211,455	\$582,804	\$(356,699)	\$210,029
Fund Balance	\$1,891,749	\$907,372	\$479,219	\$1,659,421	\$1,933,445	\$737,344

	Library Fund	Police Health Care Fund	Town Square Reserve Fund	Joint Fire Apparatus Fund	Cemetery Fund	Employee Benefits Fund
YTD Revenue	\$28,449	\$39,426	\$28	\$52,126	\$947	\$107,159
YTD Expenses	\$28,500	\$22,896	\$45	\$0	\$473	\$78,112
Difference	\$(51)	\$16,529	\$(17)	\$52,126	\$473	\$29,047
Fund Balance	\$1,542	\$206,092	\$4,729	\$375,904	\$41,525	\$29,047

Motion: To approve the consent calendar. Motion by Jane Quairoli, second by Josh Holl. Motion passed.

Action & Discussion Items

a. Road Closure Request – 2018 Palmyra Christmas Parade:

Motion: To authorize the Palmyra Area Heritage Association (PAHA) to implement the following road closures necessary for the 2018 Palmyra Christmas Parade to be held on Saturday November 17, 2018 from 10:30 AM – approximately 2:00 PM.:

- *Parade Staging from 10:30 AM-12:00 PM: Close S. Railroad Street from Main Street to E. Maple Street, and W. Cherry Street from S. Railroad Street to Mark Street, and:*
- *Parade Route: Beginning at 12:00 Noon at S. Railroad Street and E. Maple St. the parade will proceed East on E. Maple St.; turning North onto S. Green Street; turning West onto E. Main Street; turning South onto S. Horstick Ave., turning East onto W. Cherry St., and disbanding at the Palmyra Middle School at approximately 2:00 PM.*

Motion by Jane Quairoli, second by Josh Holl. Motion passed.

b. Road Closure Request – Citizens Fire Company No. 1 Fire Prevention & Safety Open House Event:

Motion: To authorize the closure of West Walnut Street from S. Railroad St to S. College Street, and S. Bowman Ave from W. Walnut Street to W. Pine Street on Sunday October 7th from 1:00 p.m. – 4:00 p.m. for Citizens Fire Co. No. 1 to conduct their annual Fire Prevention & Safety Open House event. Motion by Jane Quairoli, second by Don Barry. The motion passed by a 4-0-1 vote with Josh Holl abstaining from the vote due to a conflict.

c. Resolution #2018-28 - Auditor Appointment for 2018 Audit:

Motion: To approve Resolution #2018-28, a resolution appointing Brown, Schultz, Sheridan & Fritz to perform the annual Audit for year ending December 31, 2018 for a fee not to exceed \$14,700. Motion by Jane Quairoli, second by Don Barry. Motion passed.

Councilor Quairoli requested bids be advertised during Spring 2019 for conducting the 2019 Audit.

d. Bid Advertisement for Contracted Waste & Recycling Collection Services:

Motion: To authorize the Borough Manager to advertise for bids for the collection of residential refuse & recycling by a single private hauling contractor. Motion by Don Barry, second by Joe Templin. Motion passed by a 3-2 vote with Jane Quairoli and Josh Holl voting against the motion.

e. Waiver Request – Stormwater Management Ordinance – Section 310-16.A(7): Doug Allwein, Kaylor, Allwein & Hartman, Inc. was in attendance to explain the request for a waiver for installation of four-foot high fencing around a new detention basin. He clarified that the stormwater basin was under 2-feet deep and will drain completely within a 48-hour time period as required by the ordinance. He cited other examples within the Borough in which Council has approved a waiver. He suggested that the language in the ordinance is vague and should be reviewed by Council. Council agreed and asked to have this on the next meeting agenda.

Motion: To deny the waiver request made by Kaylor, Allwein & Hartman, Inc. on behalf of Anthony Hostetter, 443-445 W. Main Street, for the requirements of Section 310-16.A(7) of the Code of Ordinances of the Borough of Palmyra, which requires a minimum 4-foot

high fence to be installed around a new stormwater management facility. Motion by Jane Quairolì, second by Beth Shearer. President Shearer asked for a roll call vote:

*Don Barry - yes
Josh Holl - yes
Jane Quairolì - yes
Joe Templin - yes
Beth Shearer - yes*

f. Palmyra Area School District Geophysical Study Cost Share Proposal:

Motion: To deny the proposal made by the Palmyra Area School District to share 50% of the cost of a \$5,600 geophysical study proposed by ARM Group to locate a possible new stormwater injection well within the public Right of Way of S. Locust Street, W. Oak St, or W. Maple Street to replace PASD's failed injection well and to improve the Borough's stormwater management in the area. Motion by Jane Quairolì, second by Beth Shearer. Motion passed.

g. Borough Council Vacancy: Mr. Powl reminded Borough Council that they have until October 11, 2018 (October 9, 2018 meeting) to appoint a replacement to serve the remainder of Mark Smith's term, expiring the first Monday of the year 2020.

Mr. Powl announced that Bob Dailey had contacted him and was interested in the position.

Ms. Pera announced that three additional candidates put forth their names for consideration, but one candidate reconsidered their request and another candidate did not live in the Borough for one consecutive year which is required under the Borough Code. The third candidate, Thomas Miller, 306 W. Walnut Street, was in attendance and introduced himself to Council and the residents. A copy of his resume was shared with Council.

Council discussed the need to interview candidates further at the next meeting.

Gary Laudermilch announced from the audience that he was also interested in the position.

Reports

a. President's Report: President Shearer announced that she will not be present at the next meeting.

b. Library Report: Councilor Quairolì provided a copy of the August 2018 report.

c. Police Department: Mayor Carpenter provided a copy of the August 2018 report.

d. Solicitor's Report: There was no report.

e. Zoning Hearing Board: (September 17, 2018 Hearing Continued to Monday September 24, 2018)

1. 940 E. Main Street - Mavis Discount Tire:

- Variance - Section 380 - Table 380-46 (Permanent Sign Requirements) to exceed the maximum sign area for two individual signs. The applicant is also seeking a variance to exceed the maximum number of signs by placing a total of three signs (one freestanding, and two wall signs) on the property.
 - The ZHB approved two signs. One wall sign not to exceed 70 square-feet and one freestanding sign not to exceed 64 square-feet in size.

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 has completed installation and covering of the liner in the basin, but it has been too wet to prepare the area for seed. The Borough is still waiting for a revised construction schedule.

2. Loan Money Available for Stormwater Management Projects: Mr. Powl provided a report on the remaining loan monies available for stormwater projects since both loans have been paid with the recent refinance through a municipal bond. Council expressed the desire to move ahead with Phase B, which is the Arch Street Duke Street area.
3. New Public Works Garage Building Project: Mr. Powl commented that the under-slab plumbing is being installed. The contractor would like to start erecting the steel to get the building under roof.
4. Mr. Powl informed Council that a recurring sinkhole on S. Green St. and Main St. has re-opened. ARM Group, Inc. submitted a proposal not to exceed \$3,000 to do some geophysical testing in the area. Borough Council instructed Mr. Powl to get the testing done so that a long-term solution for remediation can be developed.
5. Mr. Powl stated that the sinkhole in Plum Alley continues to settle. Dr. Seaton, from the ARM Group, Inc. suggested that some compaction grouting may be necessary but, his team is still debating the issue.
6. Mr. Powl reported that the Borough just completed an audit of the Liquid Fuels account and all looked good. He also commented that the auditor indicated funds do not have to be used within three-years as the Borough was previously informed.
7. Mr. Powl provided clarification to Council and the audience about the history and current state of the refuse issues. He commented that the refuse account used to be hidden as part of the general fund by the previous administration with absolutely no plan in place for its continued operation. He explained this to then Council President Costello, who agreed but, wanted to keep the refuse in the general fund because it was helping to balance the general fund budget. This practice was neither ethical nor legal, so at the conclusion of Mr. Costello's term, Mr. Powl took it upon himself to separate the refuse revenue and expenditures out of the general fund into its own refuse fund. He explained that the Borough was operating its own refuse collection company and it needed to be operated, accounted for, and planned for as such separately to ensure its future self-sustainability. He and Public Works Superintendent Plouse also established a vehicle replacement schedule and plan as part of this effort to ensure that the refuse/recycling collection program was being properly funded to replace equipment and sustain itself without burdening other Borough functions and funds. He explained that this effort took a great deal of his personal time to complete and resents the absurd accusations that he is personally trying to kill the current refuse program.

Communications

Mr. Powl provided a copy of a letter dated 9/18/18 from Palmyra Area School District Superintendent Lisa Brown thanking the Borough for its assistance with the Glow Run event held on August 25, 2018.

Other Business

There was no other business.

Public Comment Period #2

The following people had additional comments about the refuse/recycling issues:

- Gary Laudermilch, 30 W. Ridge Road
- Clair Hall, 735 E. Cypress Street
- Kevin Fuhman, 734 E. Cypress Street
- Cindy Smith, 47 N Grant Street, inquired if any background research is completed on candidates submitting their name for a vacant Borough Council position.
- Maddie Reed, 223 E Hazel Street, inquired about
 - the way in which to use the Cemetery Fund balance.
 - What "Plan B" was for the stormwater plan.

- Crystal Shifflet, 133 N. Penn Street, recommended Council use the cemetery fund to mow the cemetery.
- Bill Zeiders, 333 E. Main Street, expressed his concern about the 1st National Bank not taking care of the sinkhole on N. Duke Street.

Announcement

President Shearer announced that Borough Council will conduct a public meeting on Tuesday, October 9, 2018 and on Tuesday, October 23, 2018 beginning at 7:00 PM.

Motion to Adjourn

Motion to adjourn by Jane Quairola, second by Joe Templin. The meeting adjourned at 9:34 PM.

Respectfully submitted,

Roger E. Powl
Borough Manager