

Palmyra Borough Council Meeting  
 Tuesday August 27, 2019  
 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, Tom Miller, Jane Quairoli and Joe Templin. Also, in attendance were Borough Solicitor Josele Cleary, Borough Manager Roger Powl, Assistant Borough Manager Brenda Pera, and Police Chief Andrew Winters. Carissa Mellinger and Mayor Fred Carpenter were absent from the meeting.

Public Comment Period #1

- Greg Reed, 233 E. Hazel Street, inquired about the paving on Hazel Street, security cameras at Memorial Park, and some disruptive behavior in his neighborhood.
- Tom Maurer, 707 E. Broad St. inquired about placing temporary signs along Main Street to identify the location of businesses while Rt. 422 is closed for the sinkhole repair.

Council considered his request and asked Solicitor Cleary for options to allow his request for temporary off-premise signs. Solicitor Cleary remarked that the Borough can amend their zoning ordinance to allow for the temporary signs. The process will require a review of both the Borough Planning Commission and the County Planning Commission prior to approval. It will take at least a couple of months to work through the system until the request can be brought to Council. In the meantime, the Borough does not need to remove the signs because it is in the process of reworking the zoning ordinance for this purpose.

*Motion: To authorize the Borough Solicitor to prepare and advertise an ordinance to amend the zoning ordinance and add regulations governing temporary signs providing directions during road closures. Motion by Jane Quairoli, second by Josh Holl. Motion passed.*

The following individuals were in attendance to ask questions and provided comments on the proposed rental licensing and inspection ordinance:

- David Romanoski, 243 S. Mill Road, Hummelstown
- John Martin, 19 Gentry Drive, Annville
- Ernest Woolever, 315 County Line Road, Palmyra
- Wes Rittenhouse, 8 Apple Street, Annville
- William Garber, 725 N. Grant Street, Palmyra
- Danielle Nafzinger, 600 S. Prince Street, Palmyra

Consent Calendar

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

- a. Approve the minutes of the August 13, 2019 Borough Council meeting.
- b. Approve the Treasurer’s Report for the period July 1 through July 31, 2019:

	General Fund	Sewer Fund	Refuse Fund	Capital Reserve Fund	Special Sewer Fund	Liquid Fuels Fund
YTD Revenue	\$2,565,236	\$1,162,121	\$821,091	\$250,026	\$17,322	\$241,891
YTD Expenses	\$2,228,421	\$605,042	\$ 643,043	\$405,326	\$46,719	\$179,807
Difference	\$336,816	\$557,079	\$178,049	\$(155,300)	\$(29,398)	\$(389,017)
Fund Balance	\$1,888,607	\$1,253,677	\$585,181	\$1,393,989	\$1,412,463	\$796,521

	Library Fund	Police Health Care Fund	Town Square Reserve Fund	Joint Fire Apparatus Fund	Cemetery Fund	Employee Benefits Fund
YTD Revenue	\$28,350	\$41,038	\$44	\$61,719	\$481	\$113,948
YTD Expenses	\$5,000	\$21,516	\$0	\$408,901	\$0	\$40,596
Difference	\$23,350	\$19,522	\$44	\$(347,182)	\$481	\$73,352
Fund Balance	\$25,281	\$218,069	\$3,905	\$31,117	\$42,270	\$102,584

*Motion: To approve the consent calendar. Motion by Jane Quairolì, second by Don Barry. Motion passed.*

Action & Discussion Items

- a. Ordinance #795 – Amend Chapter 127 (Open Burning Regulations):

*Motion: To authorize the Borough Solicitor to advertise Ordinance #795, an ordinance to amend Chapter 127 (Open Burning) of the Palmyra Borough Code of Ordinances to define and regulate fire pits. Motion by Jane Quairolì, second by Josh Holl. Motion passed.*

- b. Memorial Park Project Funding Request: Requests for improvements to the buildings at Memorial Park for which the Palmyra Garden Club / Bowman Trust Committee received the following proposals:

Integrity Painting – paint the exterior of the pavilion & band shell \$9,430.00

Keefer Siding Company – repair rotten plywood on the interior walls of the pavilion and add flashing to the exterior lower sections of siding. \$3,265.00

*Motion: To approve the request of the Palmyra Garden Club / Bowman Trust Committee to make improvements to the Memorial Park buildings with oversight of the project to be conducted by Borough Management. Costs of the improvements will be paid using Bowman Trust funds. Motion by Jane Quairolì, second by Joe Templin. Motion passed.*

- c. Resolution #2019-12 – Appoint Member to Palmyra Municipal Authority:

*Motion: To approve Resolution #2019-12, appointing Cindy Smith as a member of the Palmyra Municipal Authority to serve the remainder of Jim Hartman’s five (5) year term, expiring December 31, 2021. Motion by Jane Quairolì, second by Tom Miller. Motion passed.*

- d. Resolution #2019-14 – Sale of Borough Owned Property (Police Vehicle):

*Motion: To approve Resolution #2019-14, a resolution authorizing the sale of one 2008 Chevrolet Impala Police Patrol Vehicle via public auction with an estimated value of \$1,500. Motion by Jane Quairolì, second by Don Barry. Motion passed.*

- e. Palmyra Borough Code of Ordinances – Chapter 277 (Rental Property): Council continued their review and discussion of the Draft Rental Inspection ordinance from the August 13<sup>th</sup> meeting. Hearing the conversations about creating the ordinance, the Borough Solicitor explained that Council

must determine the policy that they want to implement, and once that is determined, she can work with Staff to prepare the appropriate ordinance. She outlined three different policy options that Council could consider as follows:

Option 1) Create an ordinance that includes licensing, disruptive conduct, and inspections required on a regular routine basis

Option 2) Create an ordinance that includes licensing, disruptive conduct, and no required inspections except in cases of requests by tenants and/or landlords.

Option 3) Create an ordinance that includes licensing, disruptive conduct, and inspection at the time of change of occupancy and ownership, and possibly add a provision for inspection every 3-years if no change in occupancy.

A provision can be put in any of the options above to allow landlords to have inspections done by an architect, engineer, or other certified person, etc. of their choice and submit an inspection report to the Borough.

Council decided to table the discussion on the policy options until the September 24<sup>th</sup> meeting.

- f. Palmyra Borough Code of Ordinances – Inspection of Private Property Upon Sale/Change of Ownership: Mr. Powl provided sample ordinances from the Borough Solicitor. Borough Council tabled discussion on this issue until the September 24<sup>th</sup> meeting.
- g. Palmyra Borough Code of Ordinances - Short Term Rental Issues (Air B-n-B's): Mr. Powl provided a letter from the Borough Solicitor. Solicitor Cleary explained that a recent PA Supreme Court decision has rendered the Air BnB use a prohibited use in all residential zoning districts. Therefore, Council's policy decision is whether to allow Air BnB's in the Borough, which zoning districts, and does Council wish to limit an Air BnB in a residential zoning district to a single-family detached dwelling only. Borough Council tabled discussion on this issue until the September 24<sup>th</sup> meeting.

#### Reports

- a. President's Report: President Shearer did not have a report.
- b. Library Report: Councilor Quairoli provided a copy of the August 2019 report.
- c. Fire Department: Councilor Holl reported the Fire Department will be participating in a mass casualty task force for Dauphin County in preparation for mass shooting casualty events.
- d. Police Department: Chief Winters provided a copy of the July 2019 report. He reported that the department completed the aggressive driving enforcement program and he will be submitting the necessary paperwork for reimbursement. The Chief is working on a new firearm general order for the department. The Officers have begun visiting the schools once or twice per week with the start of the new school year. Chief Winters informed Council that the new parking ordinance is working well. Several residents received parking tickets for vehicles that are not allowed to be parked on the street. He also mentioned the department will also be participating in the task force training for mass casualty shootings. The Chief will also continue meeting with the new School Resource Officer for Palmyra Area School District.

Chief Winters requested Council's approval for the following budget line item transfers to utilize budgeted unused Police Chief Salary (\$13,380) for other needs:

- \$4,422 to Budget line item #01.410.760 to make up the difference in outfitting the new #55 un-marked 2020 Ford Police Interceptor Utility vehicle.

- \$8,958 to Budget line item #01.410.740 to purchase (2) Tasers, (6) cartridges, (1) radio, and remaining going towards the outfitting of the new Officer hired to replace Officer McGuire.

*Motion: To authorize the Borough Treasurer to transfer \$4,422 from Budget line item #01.410.110 to #01.410.760, and \$8,958 from Budget line item #01.410.110 to #01.410.740. Motion by Josh Holl, second by Jane Quairoli. Motion passed.*

- e. Recreation Commission: Councilor Quairoli provided a copy of the August 2019 Director's Report.
- f. Zoning Hearing Board: Mr. Powl shared the results of the hearing conducted Monday August 19<sup>th</sup>
1. Palmyra Bologna Company – Create Parking Lot on SE Corner of N. Locust St & unnamed alley:
    - Denied a Variance of Section 380-15(B) (Uses Permitted by Right) to allow the off-street parking required for Palmyra Bologna Company to be located on this property.
    - Denied a Variance of Section 380-15(G) (Area & Design Requirements) to allow a 15% increase in lot coverage from 35% to 50%.
    - Denied a Variance of Section 380-38(G) (Parking Location) to allow parking to be located in a different zoning district than the principal use is located, and, to increase the maximum distance from the principle use to the parking lot of 150-feet to 200-feet.
    - Denied a Variance of Section 380-26 (Clear Sight Triangles) to allow 15'X15' clear site distance triangles at two corners of the lot (75'X75' is required).

g. Borough Manager's Report:

1. N. Duke Street Sinkhole Repair Status: Mr. Powl explained that the bank had a new injection well drilled at the intersection of N. Duke St and E. Arch St. A large void was found in bedrock from 151-156 feet. The well was cased to 125 feet and grouted into the bedrock. A water test was conducted and the well took 300-gallons per minute with no back-up so, it will be good for de-watering the detention basin next to the bank.

2. Stormwater Management Agreement (Alan & Kim Sechman) – 500 E. Oak Street:

*Motion: To authorize the Borough Council President to execute a stormwater management Operations & Maintenance Agreement with Alan & Kim Sechman, who are constructing a new dwelling at 500 E. Oak Street, contingent upon: 1) satisfaction of all outstanding comments contained in the Borough Engineer's Review #2 letter dated 8/21/19, and; 2) favorable review by the Borough Solicitor. Motion by Jane Quairoli, second by Joe Templin. Motion passed.*

3. Memorial Park Paving – Mr. Powl explained that the previously approved change order to pave the parking lot was only for placement of 2-inches of wearing course paving on the parking lot. He stated that the Public Works Crew would like to use the parking lot as a snow dump area for hauling snow out of the downtown business district during the winter and the 2-inches of wearing course will not hold up to truck traffic and melting snow. The Borough Engineer contacted Pennsy Supply about the cost to place 3-inches of airport grade binder asphalt instead. The additional cost would add approximately \$11,000 to the original quote of \$20,571.20. However, Mr. Powl asked Council to consider approving a "not-to-exceed" amount of \$35,000 to allow for some flexibility when completing the work, which is still \$5,000 under the original budgeted amount.

*Motion: To approve Contract Change Order No. 1 to the 2019 Roadway Project, Contract No. 2, from Pennsy Supply in the amount not to exceed \$35,000.00 to pave the remainder of the stone parking lot at Memorial Park, and to expense this cost from General Fund line item #01.454.372. Motion by Jane Quairoli, second by Tom Miller. Motion passed.*

4. East Oak Street and South Forge Road intersection – Mr. Powl commented that the Borough has been receiving complaints again about the road surface and steep transition when turning onto E. Oak Street at S. Forge Rd. The Borough Engineer did a plan for improvements to the intersection in 2016, but Borough Council did not want to spend the funds to fix the problem. The original cost was estimated to be \$63,000. The Public Works Crew believes they can do this work in-house for a third of the original cost estimate. Council considered the opportunity and asked Mr. Powl to work the improvements into the 2020 budget.
5. Ms. Pera reminded Council that Gravel Hill United Methodist Church has graciously allotted time at the September 28<sup>th</sup> event for Borough Council to use for a grand opening of the park. Council asked Ms. Pera to reach out to the Mayor.

#### Other Business

- President Shearer asked when the School District will be repairing the closed section of sidewalk at the Middle School.
- President Shearer and Councilor Miller announced that they will not be attendance at the September 10<sup>th</sup> meeting.

#### Public Comment Period #2

- Danielle Nafzinger, 600 S. Prince Street, Palmyra inquired about the recent paving on E. Cypress St.
- Doug Fleegle, 127 E. Maple Street, supported the idea of fixing the intersection at E. Oak St. and S. Forge Road because the fire trucks cannot access that area due to the steepness of the intersection.

The following individuals had questions and provided comments on the proposed rental licensing and inspection ordinance:

- David Romanoski & Laurie Piper, 243 S. Mill Road, Hummelstown
- John Martin, 19 Gentry Drive, Annville
- Bethany & Jim Tesche, 645 E. Cherry Street
- Mike Blouch, 81 Vista Drive, Annville
- William Garber, 725 N. Grant Street, Palmyra

#### Announcement

President Shearer announced that Borough Council will conduct a public meeting on Tuesday, September 10, 2019 and on Tuesday, September 24, 2019 beginning at 7:00 PM.

#### Motion to Adjourn

*Motion to adjourn the meeting by Jane Quairola, second by Joe Templin. The meeting adjourned at 9:39 PM.*

Respectfully submitted,

Roger E. Powl  
Borough Manager