

Palmyra Borough Council Meeting
 Thursday January 23, 2020
 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 Josh Holl, Tom Miller, Jane Quairoli, Joe Templin and James Tesche. Also, in attendance Borough Manager Roger Powl, Assistant Borough Manager Brenda Pera, and Police Chief Andrew Winters and Mayor Carpenter. Don Barry was absent from the meeting.

Announcements

President Shearer announced that Borough Council held an Executive Session at the conclusion of the Monday January 6th meeting to discuss a personnel issue as permitted by the Pennsylvania Sunshine Act. Any official action resulting from the Executive Session will occur at a future public meeting.

Special Visitors

President Shearer introduced Frank Townsend, 4 Lexington Drive, and his son, Joshua Townsend. Joshua announced that he was in attendance to observe the meeting in order to achieve a Boy Scout merit badge. Council welcomed them to the meeting.

Public Comment Period #1

- Chris McGrath, 122 E. Poplar Street, was in attendance to get clarification on the rental license requirement. He believes he has an in-law suite, but the Borough considers it a rental unit. The property has a separate address, its own kitchen, and could be rented when his in-laws no longer live in it. According to the definition in the ordinance, this is a rental unit.
- Susan Lehman, 959 E. Maple Street, stood in support of the McGrath's and asked Council to consider amending the rental ordinance to exempt units for family members. Borough Council asked Mr. Powl to consult with the Solicitor to determine how the rental ordinance could be amended to exempt "in-law quarters."
- Cindy Smith, 45 N. Grant Street, disagreed that exemptions should be put into the rental ordinance.
- Nancy Fleegle, 127 E. Maple Street, explained that she thought a distinction could be made between an in-law quarters in a single-family home versus a building already set-up as a multi-unit rental. She also inquired if Waste Management was going to provide 96-gallon totes

Consent Calendar

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

- a. Approve the minutes of the January 6, 2020 Borough Council meeting.
- b. Approve payment of all bills listed on the December 2019 Bill's List.
- c. Approve the Treasurer's Report for the period December 1 through December 31, 2019:

	General Fund	Sewer Fund	Refuse Fund	Capital Reserve Fund	Special Sewer Fund	Liquid Fuels Fund
YTD Revenue	\$3,629,633	\$1,747,037	\$1,139,797	\$627,461	\$346,257	\$245,464
YTD Expenses	\$3,970,584	\$1,797,059	\$1,191,673	\$726,160	\$116,368	\$7447,703
Difference	\$(340,951)	\$(50,022)	\$(51,876)	\$(98,699)	\$229,887	\$(502,239)
Fund Balance	\$1,092,621	\$646,576	\$355,256	\$1,450,589	\$1,671,749	\$232,198

	Library Fund	Police Health Care Fund	Town Square Reserve Fund	Joint Fire Apparatus Fund	Cemetery Fund	Employee Benefits Fund
YTD Revenue	\$29,078	\$42,777	\$76	\$61,905	\$921	\$114,736
YTD Expenses	\$30,000	\$25,324	\$0	\$420,018	\$0	\$40,596
Difference	\$(922)	\$17,453	\$76	\$(358,113)	\$921	\$74,141
Fund Balance	\$1,009	\$216,000	\$3,937	\$20,186	\$42,711	\$103,373

Motion: To approve the consent calendar. Motion by Jane Quairoli, second by Jim Tesche. Motion passed.

Action & Discussion Items

a. Road Closure Request – Truck Trek Food Truck & Community Arts Festival:

Motion: To authorize the closure of West Cherry Street from South Railroad Street to South Mark Street on Saturday May 09, 2020 from 8:00 AM – 7:00 PM for the 6th Annual Truck Trek Food Truck & Community Arts Festival. Motion by Josh Holl, second by Joe Templin. Motion passed.

b. Ordinance #801 – Floodplain Regulations:

Motion: To enact Ordinance #801, an ordinance to establish comprehensive floodplain regulations in the Borough. Motion by Jane Quairoli, second by Tom Miller. Motion passed.

c. Ordinance #802 – Pennsylvania Municipal Retirement System (PMRS):

Motion: To authorize the Borough Solicitor to prepare and advertise Ordinance #802, an ordinance to amend the Borough of Palmyra uniformed pension plan and nonuniformed pension plan administered by the Pennsylvania Municipal Retirement System; and agreeing to be bound by all provisions of the Pennsylvania Municipal Retirement Law, as amended and applicable to member municipalities. Motion by Josh Holl, second by Jane Quairoli. Motion passed.

d. Resolution #2020-16 – Appoint Member to Planning Commission:

Motion: To approve Resolution #2020-16, a resolution re-appointing Joe Templin to a new four (4) year term on the Palmyra Planning Commission, expiring December 31, 2023. Motion by Jane Quairoli, second by Tom Miller. Motion passed.

Reports

a. President’s Report: President Shearer did not have a report.

b. Library Report: Councilor Quairoli did not have a report since the Board just met. She suggested that with the new meeting schedule that the Library report be moved to the first meeting of each month.

- c. Financial Report: Mr. Powl provided a copy of the December 31, 2019 financial statement.
- d. Fire Department: Councilor Holl announced the Fire Banquet was scheduled for Saturday, January 25, 2020.
- e. Police Department: Chief Winters outlined several areas within the December 2019 report. He also mentioned that the Police Department Crime Watch website was online. The Chief plans to work on a Power DMS system for general orders and he has scheduled several of the officers for training already in 2020. He also informed Council that the new rental ordinance has come in handy as the first Disruptive Conduct Reports have been issued.

Mayor Carpenter announced that the Borough received a letter dated January 7, 2020 from Ron Fouche, Chairman, North Londonderry Twp Board of Supervisors, indicating that they are not interested in pursuing a regional police department. It was noted that this decision was made after the regional police study was presented and before any meeting between the municipalities was scheduled to discuss further options.

- f. Recreation Commission: The PARPC Director provided a copy of the January 2020 report on Monday, January 3rd.
- g. Solicitor's Report: There was nothing to report.
- h. Zoning Hearing Board: A hearing will be conducted Monday, February 10th for the following:
 - 1. 115 W. Main Street – Betsy & Chester Cohick, Jr. :
 - Variance of Section 380-26.A(Clear Sight Distance Triangle) so that an existing barn can be removed, and a new barn constructed on the original barn's footprint.

Council agreed to not take a position on the application.

- i. Borough Manager's Report:
 - 1. N. Duke Street Sinkhole Repair Status: Mr. Powl reported that the contractor was able to apply the thermo-plastic lines according to PennDOT specifications on one of the warmer weekend days. Mr. Powl explained that, due to businesses continuing to suffer as a result of the road closure, he instructed the signal contractor to not wait for PennDOT any longer and place the traffic signal back into original operating mode so that the road could be re-opened. Now that N. Duke St is open, Mr. Powl indicated that a traffic study is being conducted at the E. Main St and N. Forge Road by the Borough Engineer to justify keeping the left turn arrow.
 - 2. Plum Alley Sinkhole Repair Status: Mr. Powl commented that the grouting in Plum Alley is almost finished. He projected an image on the screen of new geophysical study data from ARM Group, Inc. to show Council an area below Walnut Alley that verifies the existence of a deep fracture zone beginning at about 40-feet below the surface. The image shows that the break in the rock is anywhere from 8 to 10 feet wide and 70 feet deep. The compaction grouting contractor will work to drill down and "cap" the top of the fracture zone to eliminate further subsidence and to allow the groundwater to continue to move as it is currently so that it is not forced somewhere else and causing problems there. Mr. Powl informed Council that Plum Alley will be made passable after the grouting is complete and then re-paved in the Spring.
 - 3. 300 Block E. Cherry Street Sinkhole Repair – Loose end: Mr. Powl informed Council that the Borough has been trying to finish the sale of the properties located 310 & 312 E. Cherry Street. He indicated that after signing a sales agreement on May 24, 2016 in the amount of \$10,500 for the sale 310 & 312 E. Cherry Street, the owners have still not agreed on a settlement date and have become unresponsive.

The Borough Solicitor recommends passing a revised Eminent Domain resolution giving them 30-days to agree to settle, otherwise, the Borough will proceed with an Eminent Domain action. The Borough could also challenge the signed sales agreement through the County Court of Common Pleas.

Motion: To approve Resolution 2020-17, a resolution of the Borough Council authorizing the acquisition by the exercise of the right of eminent domain of two tracts of land on the 300 Block of East Cherry Street. Motion by Jane Quairola, second by Josh Holl. Motion passed.

4. WLCREMA – Mr. Powl commented that North Londonderry Township is now interested in joining the regional emergency management association. Council did not have any issues with the request.
5. Memorial Park – Ms. Pera stated that a request has been received by the Gravel Hill UMC (GHUMC) regarding the installation of bird houses at Memorial Park. Zoo America will provide the houses and the GHUMC Youth Organization will install them. The houses are projected to be installed behind the fence at the detention pond and on the south side of the fence along the walking trail. Borough Council agreed to allow the bird houses to be installed.

Other Business

- Mayor Carpenter commented that Shellbark Alley was temporarily repaired by the Public Works crew and it is very nice.
- Councilor Quairola reported graffiti on the Grant Street bridge.
- Councilor Holl asked staff to review the parking on the east side of south Railroad Street at the Walnut St intersection. The cars are parking too close to the intersection making it difficult to see when responding to an emergency.

Public Comment Period #2

- Barry Shellenhamer, 223 E. Cherry Street, had additional questions regarding the study in Plum Alley.
- Doug Fleegle, 127 E. Maple Street, inquired as to why his street is the only one in the Borough with the “no commercial parking signs.”

Announcement

President Shearer announced that Borough Council will conduct the next public meetings on Thursday, February 13, 2020 and Thursday, February 27, 2020 beginning at 7:00 PM.

Motion to Adjourn

Motion to adjourn the meeting by Jane Quairola, second by Josh Holl. The meeting adjourned at 8:09 PM.

Respectfully submitted,

Roger E. Powl
Borough Manager