

Palmyra Borough Council Meeting  
Tuesday, October 11, 2022  
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 Don Barry, Anthony Catalani, William Garber, Jane Quairoli, and James Tesche. Also, in attendance were Mayor Fred Carpenter, Police Chief Andy Winters, Borough Manager Roger Powl, and Assistant Borough Manager Brenda Pera. Tom Miller was absent from the meeting.

President Shearer asked Councilor Barry to preside over the meeting due to her losing her voice.

Special Visitors

Bill Seaton, PG, PhD, and Andrew Reese, Senior Project Manager for the ARM Group, were present to discuss the Borough-wide Geophysical & Stormwater Model study proposal. Dr. Seaton explained that there will be two parts to the study. The first part will be to pull all the previous geophysical studies together onto one map then conduct geophysical data collection on all the remaining areas of the Borough. The result will be a map of the underground rock conditions under the entirety of the Borough. The second part of the study will be to create stormwater management models for each of the Borough's stormwater drainage areas. These models can be made to be GIS based and show the effects on each drainage area with varying intensities of rain falling. Council expressed concerns about the longevity of the study given the cost involved in conducting the study. Dr. Seaton explained that underground rock conditions change very very slowly over time so the data collected and provided will be good for the foreseeable future. Dr. Seaton feels the data should be invaluable to the Borough for identifying areas needing greater attention for stormwater management control and more vigilant sinkhole mitigation efforts. Council also expressed concern of how property values may be affected for any properties that may be located over an area indicating less competent rock. Councilor Quairoli asked if the study could be paid for using American Rescue Plan Act (ARPA) funds and Mr. Powl said he believed that would be a possibility but, will need to research that question further.

Public Comment Period #1

- Sheila Hoffer, 60 Cortland Crossing, shared additional information regarding urban agriculture and encouraged Council to change the ordinances to allow it.

Consent Calendar

a. Approve the minutes of the September 27, 2022, Borough Council meeting.

*Motion: To approve the consent calendar. Motion by Jane Quairoli, second by Anthony Catalani. Motion passed.*

Action & Discussion Items

- a. Zoning Regulations for the Keeping of Livestock (Urban Agriculture): Borough Council continued their discussion from the last meeting. Councilor Quairoli mentioned her desire to review the information that was just provided by Ms. Hoffer. Council asked for this item to be placed on the October 25<sup>th</sup> meeting agenda.
- b. 45-degree Angle Parking – N. Lincoln Street: Council reviewed the new cost proposal estimate provided by RETTEW to increase the size of the parking spaces to 10 feet in width. They discussed the possibility of allowing angle parking on one block for trial purposes. Several members commented about concern for the possibility of setting a precedent for other streets. The entire discussion began with residents on the first block of North Lincoln Street requesting angle parking because of the lack of on-street parking created by one tenant

parking all his cars on the street instead of using the off-street parking spaces for the rental unit. It was agreed that the tenant is not parking his vehicles illegally if they are currently registered and inspected. Council asked Mr. Powl to have the Borough Engineer determine the number of parking spaces available and costs involved if the Borough would paint standard parallel parking space stall lines along N. Lincoln St.

### Reports

- a. President's Report: President Shearer did not have a report.
- b. Financial Report:
  1. Ms. Pera provided a copy of the Delinquent Sewer & Refuse Account Report for September 2022. The report continues to trend in the right direction.
- c. Fire Department: Travis Duncan was present but had nothing to report.
- d. Police Department: Chief Winters reported that a meeting is scheduled on October 19<sup>th</sup> with representatives from each municipality and DCED to discuss the next steps for establishing the regional police department. He is finishing the Local Law Enforcement grant application for submission to assist with the cost of body cameras and cloud video storage. Chief Winters also stated that he will be picking up the new police patrol bicycle this week.
- e. Planning Commission: The Commission did not meet in September.
- f. Public Works Department: Borough Manager Powl
  1. Superintendent's Monthly Report: Mr. Powl provided a copy of the September 2022 report.
  2. Borough Properties: There was nothing to report.
    - a. Municipal Building – 325 S. Railroad Street:
    - b. Public Works Department – 910 E. Broad Street:
    - c. Town Square:
    - d. Vacant Lot – 40 E. Front Street:
    - e. Vacant Lot – Northeast corner of the intersection of N. Lingle Ave and W. Main Street
    - f. Vacant Lot (Shaffer-Erb Tract) – south side 900 Block East Cherry Street:
  3. Cemetery: Ms. Pera reported that volunteers from the Hershey Free Church were at the cemetery on October 2<sup>nd</sup> to clean the veteran headstones in preparation for the Wreaths Across America program scheduled for December 17<sup>th</sup>.
  4. Parks: (Heritage Park, Palmyra Memorial Park, and Southeast Park)
  5. Refuse & Recycling: Mr. Powl reminded Council that the collection route changed to 4 days per week this week. There has been no feedback on issues with the change.
  6. Sewer System:
  7. Sinkholes:
    - a. New:
      1. Walnut Alley at 220 E. Main Street – Mr. Powl stated that new sinkhole activity has emerged again. Since this area has had sinkhole activity before, ARM Group will conduct a small geophysical study to investigate the issues with this location.
    - b. Old:
      1. 430 E. Walnut Street: (between curb & sidewalk along S. Franklin St side)
      2. 800 Block E. Main Street: (Center turn lane of US422 in front of Sheetz)
      3. 223 S. Locust Street: (PASD failed injection well)

8. Stormwater Management:

- a. Phase A Stormwater Management System: (north of railroad tracks - west of N. Grant St.): Mr. Powl stated that RETTEW is working on the permit application with Norfolk-Southern to bore a large stormwater pipe under the railroad tracks. The process could take as long as 18-months.
- b. Stormwater Injection Well #11 (W. Walnut St. & S. Green St): Mr. Powl reported that Public Works has finished connecting the new injection well to the old well and only has some final trench restoration paving remaining to complete the project.
- c. Bio-Swale (west of S. Lingle Ave) MS4 Project Update: Ms. Pera announced that the Borough was approved for a \$150,000 Watershed Restoration and Protection grant. This is half of the amount requested. The Borough is still waiting to hear about a Growing Greener grant and recently applied for the remainder of the funds from the Lebanon County Conservation District's CAP program. No decisions on either grant will come before December 2022.
- d. DEP MS4 Stormwater Permit Issues: EPA is still scheduled for an inspection of the Public Works facility on October 19<sup>th</sup>.

9. Street & Alley Maintenance: Mr. Powl reported that Public Works crew has been working on grading alleys and adding road millings where necessary in anticipation for winter. Public Works has also made the improvements to Kramer Way at Ridge Road as requested at a previous public meeting.

10. Traffic Signals:

- g. Solicitor's Report: There was no report.
- h. Zoning & Codes Enforcement: Mr. Powl provided a copy of the September 2022 report. He also stated that the property owners at 138 N. Railroad Street have not complied with the Notice of Violation to clean up their property. The next step is to petition the court for permission to pursue the clean-up of the property.

1. Enforcement Action – 138 N. Railroad Street:

*Motion: To authorize the Zoning Officer and the Borough Solicitor to file a complaint with the Lebanon County Court of Common Pleas to institute an action seeking civil penalties and equitable relief pursuant to Section 617 of the Municipalities Planning Code and Section 380-140.E of the Palmyra Borough Zoning Ordinance to enjoin the owner of the property at 138 N. Railroad Street from continuing violations of the Zoning Ordinance. Motion by William Garber, second by Don Barry. Motion passed.*

i. Borough Manager's Report:

1. Mr. Powl announced that he will present the 2023 draft budget at the October 25<sup>th</sup> meeting and warned that it will be a challenging budget this year.

Other Business

- Councilor Quairoli commented that she attended the 2022 Lebanon County Township Officials Annual Convention and learned that the American Rescue Plan funds can be used for stormwater.

Public Comment Period #2

- Dave McCloskey, 212 E. Ridge Road, questioned why the zoning ordinance requires parking spaces for apartments but does not require tenants to park in those spaces. He also recommended using an odd and even side of the street system for snow plowing so that plowing could be done closer to the curb. Mr. Powl explained that there is PA State Supreme Court case law regarding municipalities depositing snow from public right of way onto a private sidewalk, therefore, the Borough cannot plow closer to the curb without risking a lawsuit which it will lose.

Announcement

President Shearer announced that Borough Council will conduct its next public meetings on Tuesday, October 25, 2022, and Thursday, November 10, 2022 beginning at 7:00 PM.

Motion to Adjourn

*Motion to adjourn the meeting by Jane Quairoli, second by James Tesche. The meeting adjourned at 8:16 PM.*

Respectfully submitted,

Roger E. Powl  
Borough Manager