

Palmyra Borough Council Meeting  
 Tuesday December 13, 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 Police Chief Andy Winters, Borough Manager Roger Powl, and Assistant Borough Manager Brenda Pera. Tom Miller and Mayor Fred Carpenter were absent from the meeting.

Public Comment Period #1

- Harmonie Sherk, 211 E Maple St, Cleona, representing the Palmyra VFW, was in attendance to remind Council that the Wreaths Across America program will take place at the Palmyra Cemetery on Saturday, December 17<sup>th</sup> at noon. Volunteers are needed to help lay the wreaths at the headstones of veterans.

Consent Calendar

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

- a. Approve the minutes of the November 22, 2022 Borough Council meeting.
- b. Approve payment of all bills listed on the November 2022 Detailed Check Listing Report.
- c. Approve the Treasurer's Report for the period November 1 through November 30, 2022:

	General Fund	Sewer Fund	Refuse Fund	Capital Reserve Fund	Special Sewer Fund	Liquid Fuels Fund
YTD Revenue	\$3,767,943	\$1,564,628	\$1,076,583	\$596,310	\$9,042	\$217,611
YTD Expenses	\$3,711,939	\$1,404,350	\$1,060,117	\$91,279	\$108,548	\$209,382
Difference	\$56,004	\$160,278	\$16,465	\$505,030	\$ (99,506)	\$8,228
Fund Balance	\$758,665	\$126,157	\$247,057	\$1,850,814	\$2,102,417	\$56,924

	Library Tax Fund	Police Health Care Fund	Joint Fire Apparatus Fund	Cemetery Fund	Employee Benefits Fund	Fire Protection Tax Fund
YTD Revenue	\$29,552	\$54,572	\$80,597	\$1,149	\$171,615	\$294,532
YTD Expenses	\$30,500	\$10,129	\$0	\$107	\$0	\$286,181
Difference	\$ (948)	\$44,444	\$80,597	\$1,042	\$171,615	\$8,351
Fund Balance	\$1,706	\$307,136	\$201,260	\$43,690	\$535,725	\$8,351

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

Action & Discussion Items

a. 2023 Final Budget Discussion:

*Motion: To approve the 2023 Final Budget. Motion by Don Barry, second by Jim Tesche. President Shearer called for a roll-call vote:*

<i>Don Barry</i>	-	<i>Yes</i>
<i>Anthony Catalani</i>	-	<i>No</i>
<i>William Garber</i>	-	<i>Yes</i>
<i>Jane Quairoli</i>	-	<i>No</i>
<i>James Tesche</i>	-	<i>Yes</i>
<i>Beth Shearer</i>	-	<i>Yes</i>

*The motion passed by a 4-2 vote with Councilors Quairoli and Catalani voting against the motion.*

b. Ordinance #820 – 2023 Real Estate Tax Ordinance:

*Motion: To enact Ordinance #820, the 2023 Real Estate Tax Ordinance, to set the real estate tax rate pursuant to Section §1310.1 of the Borough Code for the Year 2023 at the following rates:*

- *Real Estate Tax = 3.77 mills*
- *Fire Tax = .67 mills*
- *Public Library Tax = .06 mills*

*Motion by James Tesche, second by William Garber. President Shearer called for a roll-call vote:*

<i>Don Barry</i>	-	<i>Yes</i>
<i>Anthony Catalani</i>	-	<i>No</i>
<i>William Garber</i>	-	<i>Yes</i>
<i>Jane Quairoli</i>	-	<i>No</i>
<i>James Tesche</i>	-	<i>Yes</i>
<i>Beth Shearer</i>	-	<i>Yes</i>

*The motion passed by a 4-2 vote with Councilors Quairoli and Catalani voting against the motion.*

c. Ordinance #821 – 2023 Sewer Rates:

*Motion: To enact Ordinance #821, an ordinance to amend Chapter 288 (Sewers) of the Code of Ordinances of the Borough of Palmyra in order to increase the rates charged for domestic sewage from the current \$88 per quarter to \$98 per quarter for flat-rate residential dwelling units, and from \$88 to \$98 per quarter for commercial units plus \$9.80 per each 1,000-gallons over 10,000 gallons used, effective January 1, 2023. Motion by Jane Quairoli, second by Don Barry. Motion passed by a 5-1 vote with Councilor Catalani voting against the motion.*

d. Resolution #2022-24 – 2023 Refuse Rates:

*Motion: To approve Resolution #2022-24, a resolution to increase the 2023 Refuse Collection Rates from the current \$77.00 per quarter to \$83.00 per quarter, and, increasing the Single-Bag Program Rates from the current \$46.00 per quarter to*

*\$50.00, effective January 1, 2023. Motion by Jane Quairolì, second by William Garber. Motion passed by a 5-1 vote with Councilor Catalani voting against the motion.*

e. Resolution #2022-25 – Act 57 of 2022:

*Motion: To approve Resolution #2022-25, a resolution to implement Act 57 of 2022, which waives the 10% penalty for late payment of real estate taxes during the first year of property ownership if the new owners did not receive their tax bill. Motion by James Tesche, second by Don Barry. Motion passed.*

f. Resolution #2022-26 – Appoint Members to the Zoning Hearing Board:

*Motion: To approve Resolution #2022-26, a resolution to appoint Jessica Creter to a new 3-year term as a regular member of the Zoning Hearing Board, and to appoint Susan Verhoek to a new 3-year term as an alternate member of the Zoning Hearing Board, both expiring December 31, 2025. Motion by William Garber, second by Don Barry. Motion passed.*

Reports

- a. President's Report: President Shearer wished everyone a Merry Christmas and Happy New Year.
- b. Financial Report:
  1. Financial Statement: Mr. Powl provided a copy of the November 2022 report.
  2. Delinquent Sewer & Refuse Account Report: Ms. Pera provided a copy of the November 2022 report.
- c. Fire Department: Chief Dugan reported that North Londonderry Township has the incentive program in their 2023 budget, and it is awaiting passage. Councilor Catalani asked Chief Dugan for a full listing of who is benefitting from the incentive program and which volunteers are not participating. Chief Dugan explained the new incentive plan will be paid quarterly now versus semi-annually and he will provide a report for each quarter.
- d. Library Board Report: Councilor Quairolì provided a copy of the November 2022 report. The Board is not scheduled to meet in December.
- e. Planning Commission: The Commission did not meet in November 2022 and will not need to meet in December 2022.
- f. Police Department: Chief Winters provided a copy of the November 2022 report, which shows crime numbers tracking consistently with last year. He reported that the department is hosting training at the fire house again this week. The next committee meeting for the regional police department is scheduled for Wednesday, December 14<sup>th</sup>.
- g. Public Works Department:
  1. Superintendent's Monthly Report: Mr. Powl provided a copy of the November 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: Paver replacement project complete
  - 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: The Wreaths Across America program will take place on December 17, 2022 at Noon.
4. Parks: (Heritage Park, Palmyra Memorial Park, and Southeast Park)
  - a. Southeast Park Loop Trail: Mr. Powl reported Public Works would like to get started on building the loop trail around the park. He stated that the crew has the materials already, so it will not cost additional funds. They will work on the loop over the winter as weather permits. Council thought it was a good idea since it was the number one request for more recreational space highlighted in the park survey done in Spring 2022.
  - b. Mr. Powl provided a copy of a letter from the Palmyra Garden Club in response to Borough Council's request for building a park at the intersection of N. Lingle Avenue and W. Main Street. The Club emphatically denied the concept because of the language of the Bowman Trust. The Club also requested the Bowman's intent for the Trust be memorialized in the minutes by including the following:  
*Palmyra Borough, Palmyra, Pennsylvania to be used to improve, maintain, and beautify current and future parks and recreational facilities in the Borough. It is our desire that the Borough use these funds to plant shrubbery, flowers, trees, and other ornamentation to beautify Borough property and that the Borough engage members of the Palmyra Garden Club to carry out such beautification projects. Further, it is our desire that the Borough accept the recommendations of the Palmyra Garden Club in selecting beautification projects throughout the Borough until these funds have been used for their intended purpose. In the event that the Palmyra Garden Club is a charitable organization and described in Section 170 (b) (1) (A) of the Code at the distribution date, the distribution of trust principal to the Borough shall lapse and such amount shall be distributed to the Palmyra Garden Club outright for the intended purpose. In either case, we request, but do not require, that such gift be identified as a memorial gift made by us.*
5. Refuse & Recycling: There was no report.
6. Sewer System: There was no report.
7. Sinkholes:
  - a. New:
    1. Walnut Alley at 220 E. Main Street – Repair Update: Mr. Powl commented that the contractor expected drilling of grout holes to be between 25-30 feet deep based on the geophysical study provided by ARM Group, Inc. The reality is some holes have been drilled from 50 -70 feet deep, therefore, the cost of the project will be higher than anticipated, but the stability of the area will be improved.

- 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 provided a budget estimate prepared by RETTEW for construction of a 54" diameter stormwater pipe under the railroad tracks. The estimate is information to be provided to Norfolk/Southern for consideration of a permit to allow boring under the tracks.
  - b. Bio-Swale (west of S. Lingle Ave) MS4 Project Update: Ms. Pera stated that Growing Greener grant announcements are expected before the end of the month.
9. Street & Alley Maintenance: Public Works has been working on alleys as time permits to get them ready for the winter months.
10. Traffic Signals: C.M. High has performed the quarterly maintenance on traffic signals.
- h. Recreation Commission: The Commission is not scheduled to meet in December.
- i. Solicitor's Report: (Solicitor Cleary)
  1. Mrakovich (Filling Station): Mr. Powl provided a Violation & Consent Agreement letter dated 11/23/22 from the Solicitor. The letter is being sent to the attorney that developed the agreement on behalf of the Mrakovich's. According to their agreement, penalties of \$500 per day can be assessed for non-completion of the upgrades that were agreed to be completed by October 31<sup>st</sup> and have yet to be started. The Solicitor asked if Council wanted to pursue a resolution through the Magisterial District Judge level or go straight to civil court if the need arises. Pursuing a civil court case will allow the Borough to request reimbursement for attorney's fees. Council agreed that this level of non-compliance warrants a civil court decision.
- j. Zoning & Codes Enforcement: Mr. Powl provided a copy of the November 2022 report.
  1. Zoning Hearing Board:
    - a. No hearings were scheduled for Monday December 12<sup>th</sup>.
    - b. Mr. Powl advised Council that the following hearing is scheduled for Monday January 9, 2023 at 5:30 PM. He confirmed that the Solicitor will be in attendance to present the Borough's opposition to the new hedge row.
      - 511 Red Haven Road (Daryl J. & Eleanor K. Gerber): Appealing a Notice of Violation issued for sight distance violation at the intersection of Red Haven Rd & E. Ridge Rd. created by the planting of a hedge row along the edge of E. Ridge Rd.
- k. Borough Manager's Report:
  1. 2023 MMO for Police Pension Plan – Mr. Powl reported that PMRS provided an incorrect factor on the 2023 MMO worksheet for the Police Pension Plan. They caught the error and requested Mr. Powl to rework the MMO accordingly. The correction will cost the Borough approximately \$1,500 towards the pension fund. No action by Council is needed, and there is no need to adjust the budget for this error.
  2. Beers & Hoffman Proposal for Revised Building Schematics: Mr. Powl provided a copy of the estimate for architectural design services for changes to the municipal center. The

changes to the building will be needed to accommodate the new regional police department and new codes officer.

*Motion: To approve the proposal by Beers & Hoffman for interior reconfiguration of the municipal building at the cost of \$4,500.00. Motion by Beth Shearer, second by Don Barry. Motion passed.*

#### Other Business

- Chief Winters mentioned that LebTown is planning to do an interview concerning the police regionalization plans.
- Councilor Garber reminded Council that the Lions Club will be conducting the live reindeer event at the Square this Saturday, December 17<sup>th</sup>.

#### Public Comment Period #2

- Dave McCloskey, 212 E. Ridge Road, commented that he hopes the increase in refuse rates will bring an increase in customer service from Waste Management.

#### Announcement

President Shearer announced that Borough Council will conduct its next public meetings on Tuesday, January 10, 2023 beginning at 7:00 PM.

#### Motion to Adjourn

*Motion to adjourn the meeting by Jane Quairola, second by James Tesche. The meeting adjourned at 8:08 PM.*

Respectfully submitted,

Roger E. Powl  
Borough Manager