

Palmyra Borough Council Meeting  
Tuesday, April 12, 2022  
7:00 PM

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

Public Comment Period #1

- Jonathan Heebner, 979 E. Oak St, reported a stormwater issue in the unnamed north/south alley east of Duke Street between Oak and Maple Streets.
- Greg Reed, 233 E. Hazel St, inquired if the cameras at Memorial Park were working due to recent graffiti showing up on the band shell.

Consent Calendar

- a. Approve the minutes of the March 22, 2022, Borough Council meeting.
- b. Approve payment of all bills listed on the March 2022 Detailed Check Listing Report.

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

Action & Discussion Items

- a. Ordinance #815 - Palmyra Zoning Ordinance Amendment:
  1. President Shearer made the following announcements -
    - The purpose of the public hearing is to afford the public the opportunity to comment on the proposed amendment to the Palmyra Zoning Ordinance as required by Section 609 of the Pennsylvania Municipalities Planning Code (MPC). The ordinance proposes the following:
      - Revises definitions for: Invasive plant species, residential occupancy, short-term rental, and front, rear, and side yard.
      - Adds short-term rentals as a use in various zoning districts (MFR, MU, CBD, HC, LI, and HI) and adds regulations for such use.
      - Amends provisions governing clear sight distance triangles, access drives, driveways, off-street parking, and off-street loading.
      - Amends signage regulations regarding garage and yard sales.
      - Adds an "Effect of Zoning Hearing Board's Decision" section to require a permit to be obtained within a 2-year period of a ZHB decision, and require all work associated with the permit to be completed within 4-years.
    - The Palmyra Planning Commission made a recommendation to Borough Council to approve the amendment to the Zoning Ordinance at the March 23, 2022 Planning Commission meeting.
    - The ordinance was sent to the Lebanon County Planning Department (LCPD) on February 23, 2022, as required by Section 609 of the MPC, and no comments have been received back from LCPD.
    - The ordinance was advertised in the March 18<sup>th</sup> & 25<sup>th</sup> editions of the Lebanon Daily News.
    - The ordinance was sent to the Lebanon Law Library on February 24, 2022.

- Borough Council may act at the conclusion of the Public Hearing, or, at any public meeting held within 60-days of the second legal advertisement date of March 25<sup>th</sup> (Tuesday May 24, 2022).

2. President Shearer opened the Public Hearing on the Ordinance.

Public Comments

- Dave McCloskey, 212 E. Ridge Rd, asked for clarification on the changes to the sight distance triangles. He also questioned if the changes to off-street parking were related to the short-term rentals.
- Doug Fleege, 127 E. Maple St, inquired if there are any changes to the “non-conforming use” for existing short-term rentals.

*Motion: To close the public hearing. Motion by Jane Quairoli, second by James Tesche. Motion passed.*

Councilor Quairoli mentioned that the motion included the Manufactured Home Park (MHP) zoning district. Mr. Powl commented that was an error on the agenda and not in the ordinance.

Councilor Garber questioned if the safety requirements for short-term rentals applies to non-conforming use short term rentals already in existence.

*Motion: To enact Ordinance #815, an ordinance amending Chapter 380 (Zoning) of the Palmyra Borough Code of Ordinance to include regulations governing short-term rental units; revise definitions; revise parking regulations; and to make technical corrections. Motion by Don Barry, second by James Tesche. Motion passed by a 6-1 vote with Bill Garber voting against the motion.*

b. Ordinance #816 – Amend Chapter 288 (Sewers) of the Palmyra Borough Code of Ordinances:

*Motion: To enact Ordinance #816, an ordinance amending Chapter 288 (Sewers) of the Palmyra Borough Code of Ordinances to revise regulations governing the use of the sewer system and add regulations governing extensions of the sewer system. Motion by James Tesche, second by Jane Quairoli. Motion passed.*

c. Road Closure and Outdoor Concert Request – Complete Auto Repair Car Show:

*Motion: To authorize the closure of S. Locust Street between W. Main Street and South Ave, and, to approve outdoor live music per Section 241-6.C (Noise Exemptions – Concerts) of the Palmyra Borough Code of Ordinances for a car show to be hosted by Complete Auto Repair on Saturday April 16, 2022 from 9:30 AM – 1:00 PM. Motion by Jane Quairoli, second by Don Barry. Motion passed.*

d. Resolution #2022-17 – 2022 Fee Resolution:

*Motion: To approve Resolution #2022-17, a resolution to re-establish various fees for Borough issued permits, inspections fees, licensing fees, and other services, and for the submission and review of subdivision & land development plans, stormwater management plans, and inspections of improvements required by those plans. Motion by Jane Quairoli, second by James Tesche. Motion passed.*

## Reports

- a. President's Report: President Shearer thanked the Police Chief and the Police Department for helping cover Lebanon City during the funeral for Lebanon City Police Lt. Lebo. She also thanked the fire department for participating in the flag arch on Hersheypark Drive for the funeral procession, as well as the Fire Police for helping with traffic control.
- b. Financial Report:
  1. Financial Statement: Mr. Powl provided a copy of the March 2022 report.
  2. Delinquent Sewer & Refuse Account Report:
    - a. Debt Collection Action:

*Motion: To authorize the Borough Solicitor to pursue Writs of Scire Facias to commence foreclosure proceedings against the following properties:*

- *Thomas Osborne & Brandi Dunkin, 822 W Main St, for a delinquent balance of \$4,922.68*
- *James Ristenbatt, 235 N College St, for a delinquent balance of \$3,801.04*
- *Jason Henning & Christine Zook, 34 N Green St, for a delinquent balance of \$3,636.00*
- *Matthew & Tiffany Rettew, 40 N Prince St, for a delinquent balance of \$3,609.93*
- *Valen Hudson, 325 E Main St, for a delinquent balance of \$2,856.73*
- *David & Brittney Giunta, 511 E Oak St, for a delinquent balance of \$2,796.00*
- *Robert & Jennifer Best, 624 W Walnut St, for a delinquent balance of \$2,639.50*
- *Robyn Joppy, 34 N Chestnut St, for a delinquent balance of \$2,608.44*
- *Deepali Paknikar, 533/535 N Railroad St, for a delinquent balance of \$2,323.66*

*Motion by Jane Quairoli, second by James Tesche. Motion passed.*

- c. Fire Department: There was no report.
- d. Police Department: Chief Winters reported that the in-car camera installation was completed. He also provided information regarding the interest of other municipalities to pursue a Regional Police Study. The other municipalities include Annville Twp, N. Annville Twp, S. Annville Twp.

*Motion: To authorize the Palmyra Police Department to participate in a Department of Community and Economic Development study for the purpose of potentially merging Palmyra Borough, Annville Township, North Annville Township, and South Annville Township into a regional police department. Motion by Jane Quairoli, second by Don Barry. Motion passed.*

2. Resolution #2022-18 – Request Removal of Civil Service requirements from PA Borough Code: Chief Winters explained to Council that this movement is out of Lancaster County in the effort to get the PA Legislature to remove civil service requirements from the Borough Code. He commented that aspects of the civil service process will still need to be conducted, but elimination of the requirement opens the possibility of hiring qualified officers with experience.

*Motion: To approve Resolution #2022-18, to request the State Legislature of the Commonwealth of Pennsylvania to amend the Pennsylvania Borough Code by removing the Civil Service requirements contained in Chapter 11, Subchapter J. Motion by Jane Quairolì, second by Tom Miller. Motion passed.*

e. Planning Commission: Borough Manager Powl

1. Rolling Thunder Express Car Wash Plan – 800 E. Main Street:

*Motion: To approve the recommendations made by the Palmyra Planning Commission at their March 23, 2022 meeting to: 1) approve the following waivers requested from the Palmyra Subdivision & Land Development Ordinance, and 2) to grant conditional approval for the Rolling Thunder Express Car-Wash Preliminary/Final Subdivision & Land Development Plan, contingent upon all comments listed in the Rettew letter dated March 17, 2022 being satisfied:*

*Waivers Requested:*

- *Section 318-10 (Preliminary Plan Application): requesting waiver of preparing, submitting, and obtaining approval of a preliminary plan so that the plan can be prepared, submitted, and reviewed for approval as a final plan only.*
- *Section 318-26.L(3) (Street Intersections – Sight Distance): requesting a waiver of the required 150-foot sight distance requirement and provide a 75-foot sight distance as an alternative due to the intersection lying between to nearby signalized intersections.*

*Motion by James Tesche, second by Tom Miller. Motion passed.*

f. Public Works Department:

1. Superintendent's Monthly Report: Mr. Powl provided a copy of the March 2022 report.

2. Borough Properties:

a. Municipal Building – 325 S. Railroad Street:

b. Public Works Department – 910 E. Broad Street:

c. Town Square: Mr. Powl reported that the new clock was installed on Tuesday, March 29<sup>th</sup>, but not without a few issues. Verdin was supposed to attempt to remove the name plates from the old clock and install them on the new clock but, they did not because of how they were originally fastened. Public Works Superintendent Scott Plouse was able to remove the name plates off the old clock without any issue and will install on the new clock in the future. Mr. Powl also mentioned that the bolts holding the clock to the ground were not long enough and Verdin was only able to thread the nuts on two or three threads of the bolts to tighten. In addition, the representative from Verdin lost one of the nuts, so there are only three bolts securing the clock. Verdin was consulted about the installation concerns, and they confirmed the installation is OK.

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: Mr. Powl reported that the free mulch pile seems to be immensely popular.

3. Cemetery: Ms. Pera commented that a burial took place this morning.

4. Parks: (Heritage Park, Palmyra Memorial Park, and Southeast Park) There was no report.
5. Refuse & Recycling: There was no report.
6. Sewer System:
  - a. Pump Station #3 (West Broad St – west of N. Locust St): New variable frequency drives, pump controller, and back-up floats have been installed by Controls 21. The changes have made a major improvement to the pump station.
  - b. Pump Station #3 (West Broad St – west of N. Locust St) - Relocation: Mr. Powl commented that staff met with the management company for the General Mills property. They have taken the question regarding expansion of the facility back to the owners and will let the Borough know if there are any plans requiring the pump station to be relocated.
7. Sinkholes:
  - a. New: None
  - b. Old:
    1. 223 S. Locust Street: (PASD failed injection well)
    2. 800 Block E. Main Street: (Center turn lane of US422 in front of Sheetz)
    3. 123 E. High Street: (Waste Management property) Injection grouting has concluded for this area.
    4. South Harrison Street (between E. Cherry St and South Ave)
    5. 430 E. Walnut Street: (between curb & sidewalk along S. Franklin St side)
8. Stormwater Management:
  - a. Phase A Stormwater Management System: (north of railroad tracks - west of N. Grant St.): RETTEW is preparing a request for permission to bore under the railroad tracks, which should be submitted to Norfolk Southern in May.
  - b. Stormwater Injection Well #11 (W. Walnut St. & S. Green St): Mr. Powl provided the results of the geophysical study performed by ARM Group, Inc. ARM identified two potential drilling locations: one on East Walnut Street and the second on South Green Street to supplement the existing Injection Well #11. The cost for test drilling and injection testing is \$53,500.

*Motion: To execute the ARM Group, Inc. proposal to drill two test wells on E. Walnut Street and pay for the project from the emergency sinkhole repair budget line item in the Capital Reserve Fund. Motion by Jane Quairoli, second by Tom Miller. Motion passed.*
  - c. Bio-Swale MS4 Project Update: Mr. Powl informed Council that staff met with several property owners affected by the Spring Creek Watershed project on April 11<sup>th</sup>. The remaining property owners are scheduled for another date. The Borough Engineer provided a concept plan on the updates to the stormwater outlet areas and the installation of bio-swale to clean and slow the runoff. Letters of Consent were shared with the owners for their consideration in helping the Borough apply for a Watershed Restoration and Protection Program grant to implement the plan.
9. Street & Alley Maintenance: There was no report.
10. Traffic Signals: There was no report.
- g. Solicitor's Report: There was no report.

- h. Zoning & Codes Enforcement: Mr. Powl provided a copy of the March 2022 report.
- i. Borough Manager's Report:
  - 1. Lebanon Transit Bus Stops: Mr. Powl reported staff met twice with Mike Curry of Lebanon Transit to review the current bus route and bus stops within the Borough. Mr. Curry is to attend a seminar on bus stop placement at the beginning of May and would like to continue the conversation about the best locations for bus stops when he returns. He did provide information on the number of individuals that use public transportation and where they are getting on and off the bus in the Borough.

#### Other Business

- Councilor Barry shared his concern for a property on North Lincoln Street that is in disrepair. He also asked if Waste Management could be contacted to ask them to clean-up the recycling blowing out of the transfer station building and collecting along their fencing on the east side of the Grant Street bridge and along the railroad tracks.
- Councilor Quairoli inquired if the Memorial Day parade organizers are planning to ask Borough Council to ride in the parade.
- Councilor Catalani shared his concern with the panhandling that is occurring outside of Sheetz and the Palmyra Shopping Center.
- Councilor Miller reported that he participated in Senator Gebhard's grant seminar today at the Lebanon Expo Center and learned that there are opportunities for the Borough to apply for funds for several purposes.

#### Public Comment Period #2

- Greg Reed, 233 E. Hazel St, advised Mr. Powl of the rumor that Waste Management is planning to pull out of their Lebanon County contracts.
- Jonathan Heebner, 979 E. Oak St, complained about the flimsy recycle cans that residents use that allow recyclables to blow all over on windy days. He recommended the Borough provide recycling containers with lids.

#### Announcement

President Shearer announced that Borough Council will conduct its next public meetings on Tuesday, April 26, 2022, and Tuesday, May 10, 2022, beginning at 7:00 PM.

#### Motion to Adjourn

*Motion to adjourn the meeting by Jane Quairoli, second by Don Barry. The meeting adjourned at 8:54 PM.*

Respectfully submitted,

Roger E. Powl  
Borough Manager