

Palmyra Borough Council Meeting
Tuesday, September 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, Tom Miller, 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.

Special Visitors

Frank Pulli of Palmyra Lions Club was present to discuss Holiday season events. The Club is proposing the following events:

- Trick or Treat at the Square - 6-8 PM on October 27th during Trick or Treat night.
- Santa on the square - November 25, 26 - Dec. 2,3 - Dec. 9,10 - Dec 16,17 - Dec 23
Friday nights from 5 PM – 8 PM and Saturdays from 11 AM - 8 PM.
- December 3, 2022 - Christmas Tree Lighting at 6 PM.
- December 10 - Star Wars night with Santa – 6 PM.
- December 17, Reindeer Night – 6 – 8 PM.

He also asked for permission to have a vendor he knows light up the square with seasonal lights in the trees and Council agreed. He said he is always looking for Santa helpers and anyone interested would be required to obtain a free certification since they are dealing with children. Council thanked him for efforts and encouraged him to proceed with the events.

Public Comment Period #1

The following individuals spoke on behalf of the N. Lincoln Street neighborhood to request diagonal parking be returned to the west side of the street due to tenants utilizing too many spaces on the street causing a parking space shortage.

- Wayne March, 32 N. Lincoln St.
- Vicky Ford, 22 N. Lincoln St.
- Lester Koch, 36 N. Lincoln St.
- Veronica Clark, 26 N. Lincoln St.

Council asked Mr. Powl to investigate the possibility of changing the parking and report at the next meeting.

- Steve Ricker, 620 E Maple St, was in attendance on behalf of the Rotary Club to request permission to place a Flags for Heroes display for about a week on the lot at corner of S. Railroad Street and W. Walnut Street. Depending on the time of year for the placement of the flags, Council asked him to keep the communication open with the Borough office due to maintenance schedules for the municipal campus lots.
- Sheila Hoffer, 60 Cortland Crossing, requested a change in the Zoning Ordinance to allow for chicken, rabbits, and goats in the Borough. Council asked Mr. Powl for copies of the existing animal regulations for discussion at the next meeting.

Consent Calendar

a. Approve the minutes of the August 23, 2022, Borough Council meeting.

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

Action Items

a. Ordinance #819 – Stormwater Ordinance Update:

Motion: To enact Ordinance #819, to amend Chapter 310 (Stormwater Management) to address new State stormwater requirements. Motion by Jane Quairolì, second by James Tesche. Motion passed.

b. Resolution #2022-20 - Auditor Appointment for 2022 Audit:

Motion: To approve Resolution #2022-20, a resolution appointing Brown, Schultz, Sheridan & Fritz to perform the annual Audit for year ending December 31, 2022 for a fee not to exceed \$18,700. Motion by Jane Quairolì, second by James Tesche. Motion passed.

c. Resolution #2022-21 – Update 2022 Fee Schedule: The fee schedule was updated to add a \$100 fee to cover the costs of burials in the Palmyra Cemetery on weekends and holidays. Chief Winters requested an addition to the Fee Schedule. He asked Council to include a \$60.00 fee for digital media provided from body cameras and camera surveillance.

Motion: To approve Resolution #2022-21, to amend the Borough's Fee Schedule by adding an additional \$100 fee to cover the costs of burials conducted at the Palmyra Cemetery on weekends and holidays and \$60.00 fee for copies (Digital media/video/etc.). Motion by Jane Quairolì, second by Anthony Catalani. Motion passed.

d. 2023 Minimum Municipal Obligation (MMO) for Pension Funding:

1. Non-Uniformed Pension Plan: 2023 MMO = \$307,818
2. Uniformed (Police) Pension Plan: 2023 MMO = \$80,680

Motion: To approve the Uniformed and Non-Uniformed Minimum Municipal Obligation for pension plan funding for the 2023 Budget Year. Motion by Jane Quairolì, second by Don Barry. Motion passed.

Reports

a. President's Report: President Shearer shared a reminder with Council that comments spoken in public as a Councilor reflect on all of Borough Council.

b. Financial Report:

1. Delinquent Sewer & Refuse Account Report: Ms. Pera provided a copy of the August 2022 report.

c. Fire Department: Mr. Powl provided a copy of the 2020 & 2021 Audit Reports. Councilor Quairolì asked Travis Duncan, who was present from the fire department, if all the fundraising expenses shown are from the annual fund drive, and Mr. Duncan confirmed.

d. Police Department: Chief Winters informed Council that the department just hosted a search & seizure training program and will be hosting medical marijuana training in the next month. He provided an update on the Regional Police Department. Annville Township voted to regionalize their department with Palmyra. South Annville Township will meet tomorrow night to decide if they want to participate.

Chief Winters stated that he and Chief Dugan, Annville Township, met with the Police Chief of York County Regional Police Department to discuss their experience with merging

departments. He commented that the process will need to be overseen by a committee of municipal representatives to develop the charter agreement and establish the Regional Police Commission.

James Tesche and Jane Quairoli volunteered to serve on the committee. President Shearer offered to join the committee as well if a third member is required.

Councilor Barry asked Chief Winters if the department has a Drug Recognition Expert (DRE).

e. Planning Commission:

1. Mrakovich 320 – 332 W. Main St. Preliminary/Final Subdivision and Land Development Plan:

Motion: To approve the recommendations made by the Palmyra Planning Commission to:

a. Approve the following waivers from the Palmyra Subdivision & Land Development Ordinance:

- 1. Section 318-26.C.1(a) – Ultimate Right-Of-Way so that no additional right-of-way will be required to be dedicated to PennDOT along W. Main Street (US422).*
- 2. Section 318-26.L.6 – Clear Sight Triangles so that PennDOT sight distance triangles can be substituted for the Borough's sight distance triangles where required along W. Main Street (US422).*

b. Approve the plan, subject to all the following conditions:

- 1. Applicant shall provide all easements required to implement the Plan to the Borough Solicitor for review within 10 days from the date of the decision conditionally approving the Plan. Applicant shall make any revisions requested by the Borough Solicitor within 10 days and shall present evidence that all parties have signed the agreements within such 10-day period.*
- 2. The easement agreement for the sewer line serving 328 West Main Street (Lot 2) and 330 West Main Street (Lot 3) shall contain a requirement that if 328 West Main Street (Lot 2) and 330 West Main Street (Lot 4) are not held in the same ownership, the owner of 328 West Main Street (Lot 2) shall install a new, separate sewer lateral before 328 West Main Street may be occupied. The owners of 330 West Main Street (Lot 3) and 320 West Main Street (Lot 4) shall grant any necessary easements for such lateral.*
- 3. Applicant shall provide perimeter legal descriptions for the resultant lots for the review of the Borough Engineer within 10 days from the date of the decision conditionally approving the Plan.*
- 4. Applicant shall post financial security to secure completion of the work required by the Plan within 10 days from the date of the decision conditionally approving the Plan. The financial security shall be in the amount approved by the Borough Engineer and shall be in a form acceptable to the Borough Solicitor.*
- 5. Applicant shall address all other comments in the Borough Engineer's review letter dated August 24, 2022, within 10 days from the date of the decision conditionally approving the Plan.*
- 6. Applicant shall record the Plan within 10 days from the release of the Plan for recording. Applicant shall provide the Borough with proof that the Plan has been recorded within 15 days from the release of the Plan for recording.*
- 7. Applicant shall record deeds with the perimeter legal descriptions for the resultant lots within 10 days from the release of the Plan for recording. Applicant*

- shall provide the Borough with proof that such deeds have been executed and recorded within 15 days from the release of the Plan for recording.*
8. *Applicant shall record all easement agreements associated with the Plan within 10 days from the release of the Plan for recording. Applicant shall provide the Borough with proof that such documents have been recorded within 15 days from the release of the Plan for recording.*
 9. *Applicant shall complete all work required by the Plan no later than October 31, 2022. Applicant shall inform the Borough when such work has been completed and shall schedule an appointment for the Borough Engineer to inspect the work no later than October 31, 2022.*
 10. *The dates for compliance with the implementation of the Plan constitute extensions of time of the deadlines in Paragraphs 4 and 5 of the Consent Agreement between Michael Mrakovich and Nathan Mrakovich and the Borough dated April 26, 2022, and any failure to meet the deadlines shall be a violation of the Consent Agreement and subject to the penalties in Paragraphs 9-11 of the Consent Agreement.*
 11. *Applicant shall reimburse the Borough for all outstanding Solicitor and Engineer fees within 30 days of the date of an invoice for such fees.*

Motion by Jane Quairolì, second by Don Barry. Motion passed.

f. Public Works Department: Borough Manager Powl

1. Superintendent's Monthly Report: Mr. Powl provided a copy of the August 2022 report.
2. Borough Properties:
 - 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 – Mr. Powl informed Council that staff met with the Borough Engineer and a landscape architect from RETTEW to discuss the potential of making this vacant lot into a gateway park. The idea is to use funds from the Bowman Trust Fund to improve the vacant lot at the entrance to the municipality. A concept plan was requested to assist in visualizing what the area could look like.
 - f. Vacant Lot (Shaffer-Erb Tract) – south side 900 Block East Cherry Street:
3. Cemetery:
4. Parks: (Heritage Park, Palmyra Memorial Park, and Southeast Park) Mr. Powl reported that the public works crew would like to plant new trees along North Chestnut at Memorial Park.

Motion: To authorize the Borough Treasurer to transfer a total of \$3,500 in the General Fund (\$500 from line item #01.432.250 (Snow Removal Repair Parts); \$1,500 from line item #01.432.384 (Snow Equipment Rental), and \$1,500 from line item #01.432.450 (Contracted Snow Removal)) to General Fund Budget line item #01.454.750 (Parks - Minor Purchases) to enable the Public Works crew to purchase and plant new shade trees at Memorial Park along N. Chestnut Street this Fall. Motion by Tom Miller, second by Jane Quairolì. Motion passed.

5. Refuse & Recycling: Mr. Powl reported that Waste Management will initiate the collection schedule change beginning on October 11th. The announcement will be in the next newsletter and several calls will be made to residents affected by the route changes.
 6. Sewer System: Mr. Powl informed Council that the Equalization (EQ) Basin that serves as an emergency overflow for the sewer system at the Public Works garage was leaking. The Public Works crew worked to stop the leak. First, they had to determine why the tank was not draining and determined that the drain line was clogged, which was cleared using the sewer jet-vac truck. The Public Works Superintendent contacted the company that installed the tank for assistance to fix the leaks in the tank, and they indicated that they would be interested in buying it back from the Borough because these tanks are in demand. The Public Works Superintendent does not believe the EQ Basin is needed so, Mr. Powl is working with the Borough Engineer to determine if the Borough's NPDES permit with DEP will need to be modified to enable the removal of the EQ Basin. If it can be removed, the EQ Basin would need to be advertised for sale by public bids.
 7. Sinkholes:
 - a. New:
 1. 223 S. Locust Street: (PASD failed injection well)
 2. 805 Victoria Lane: (next to water main)
 3. 976 E. Walnut Street: (next to fire hydrant/water main)
 4. 56 W. Walnut Street: (caused by fire hydrant back draining during hose testing)
 - b. Old:
 1. Walnut Alley at 220 E. Main Street
 2. 430 E. Walnut Street: (between curb & sidewalk along S. Franklin St side)
 3. 800 Block E. Main Street: (Center turn lane of US422 in front of Sheetz)
 8. Stormwater Management:
 - a. Phase A Stormwater Management System: (north of railroad tracks - west of N. Grant St.): The Borough Engineer received the right-of-way map from Norfolk Southern. They are now working on submitting a permit application to Norfolk-Southern to install a pipe under the tracks.
 - b. Stormwater Injection Well #11 (W. Walnut St. & S. Green St): Public Works set the manhole over the injection well pipe with assistance from Ebersole Excavating. They are waiting for 18" pipe availability to connect the old well to the new well.
 - c. Bio-Swale (west of S. Lingle Ave) MS4 Project Update: Nothing to report.
 - d. DEP MS4 Stormwater Permit Issues: Nothing to report.
 9. Street & Alley Maintenance: The final bill from Stewart & Tate for the Microsurfacing project on Cherry Street was reviewed by the Borough Engineer and is ready for payment. Both road projects came in under budget for 2022.
 10. Traffic Signals:
 11. Other – Mr. Powl stated that the Public Works Superintendent is looking to put thermoplastic line striping equipment in the budget for 2023. The equipment costs approximately \$9800.00.
- g. Solicitor's Report: Mr. Powl said Solicitor Cleary is working with the attorney from ShadowStone to finalize the stormwater easement agreement.
- h. Zoning & Codes Enforcement: Mr. Powl provided a copy of the August 2022 report. No Hearings are scheduled for September 2022.

- i. Borough Manager's Report: Mr. Powl provided a cost estimate from ARM Group LLC for professional geology, geophysical, and stormwater engineering services to develop a map/model of the underground conditions beneath the entirety of the Borough that will help mitigate sinkhole prone areas and help indicate where potential future additional stormwater management facilities could be installed. Mr. Powl explained that the Borough has conducted several geophysical studies throughout the Borough, and it would be very beneficial to pull all of that data together onto one map and collect new data to fill in areas that have yet to be studied. The second component of the study is the development of stormwater models that can show the impact to the Borough's drainage areas under rain events of varying intensity. The proposal cost is \$220,000 but it is a tool the Borough will always have and if it can help prevent another sinkhole event like occurred on E. Cherry Street that cost the Borough nearly \$3-million to repair then, it is worth the expense. Mr. Powl indicated that he would like to include the study in the 2023 Budget. Borough Council asked how long the study would be good for if it is conducted and Mr. Powl said he would follow up with Dr. Seaton at ARM Group for that answer.

Other Business

There was no other business.

Public Comment Period #2

- Maddie Reed, 233 E Hazel St, reported a new utility pole was placed at Spruce & Grant Street, but nothing has been connected to it. She noted that some of the concrete sidewalk that was recently replaced by Public Works has been damaged and she questioned who is responsible to repair the damage and Mr. Powl explained that First Energy/Met-Ed has crews that will repair the damaged portion of sidewalk after the old pole is removed.
- Dave McCloskey, 212 E Ridge Rd, reported that the western edges of Kramer Way close to Ridge Road are beginning to crumble and wash out. He also reported a streetlight that was out.

Announcement

President Shearer announced that Borough Council will conduct its next public meetings on Tuesday, September 27, 2022, and Tuesday, October 11, 2022, beginning at 7:00 PM.

Motion to Adjourn

Motion to adjourn the meeting by Jane Quairola, second by James Tesche. The meeting adjourned at 8:40 PM.

Respectfully submitted,

Roger E. Powl
Borough Manager