

Palmyra Borough Council Meeting
Tuesday, January 2, 2024
7:00 PM

Due to the absence of the Mayor, Councilor-Elect Beth Shearer called the biennial reorganization 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 Councilor-Elect Matthew Andrews, Anthony Catalani, Councilor-elect Nancy Fleegle, William Garber, Jane Quairoli, and James Tesche. Also in attendance were Borough Manager Roger Powl, Assistant Borough Manager Brenda Pera and Police Chief Andy Winters. Mayor Fred Carpenter was absent from the meeting.

Newly Elected Borough Council Members

Brenda Pera, Notary Public, administered the Oath of Office to Matthew Andrews, Nancy Fleegle, and Beth Shearer. All candidates signed their Oath of Office and their Affidavit of Residency.

Council Reorganization

Councilor Shearer read the following instruction for nominations -

- Nominations for Officers do not require seconds.
- Nominee may decline nomination immediately, or after a vote is taken.
- Persons may nominate themselves.
- Nominations will be voted on in the order in which they were nominated.
- The first Nominee to achieve a majority vote shall be declared elected to the position by the Mayor, and no votes are taken on any remaining Nominees.
- If only one person is nominated for a position, and the Nominee does not decline the nomination, the Mayor may declare that Nominee elected to the position by unanimous consent, and no vote is necessary.

Election of Council President: Councilor Shearer opened the floor for nominations for President.

- James Tesche nominated Jane Quairoli.
- Nancy Fleegle nominated Beth Shearer.

Councilor Shearer closed nominations for Council President and called for a roll call vote for the nomination of Jane Quairoli.

<i>Matthew Andrews</i>	-	<i>No</i>
<i>Anthony Catalani</i>	-	<i>Yes</i>
<i>Nancy Fleegle</i>	-	<i>No</i>
<i>William Garber</i>	-	<i>No</i>
<i>Jane Quairoli</i>	-	<i>Yes</i>
<i>Beth Shearer</i>	-	<i>No</i>
<i>James Tesche</i>	-	<i>Yes</i>

The nomination was defeated by a 4-3 vote.

Councilor Shearer called for a roll call vote for the nomination of Beth Shearer.

<i>Matthew Andrews</i>	-	<i>Yes</i>
<i>Anthony Catalani</i>	-	<i>No</i>
<i>Nancy Fleegle</i>	-	<i>Yes</i>
<i>William Garber</i>	-	<i>Yes</i>
<i>Jane Quairoli</i>	-	<i>No</i>
<i>Beth Shearer</i>	-	<i>Yes</i>
<i>James Tesche</i>	-	<i>No</i>

The nomination was approved by a 4-3 vote.

Councilor Quairoli added a statement after the vote to explain why she voted against Beth Shearer as Borough Council President. Her negative vote reflected more on the process of how Beth was reelected through a write-in campaign after she announced she was not running for her council position and was not intended as a negative comment against Beth personally.

Election of Council Vice-President: President Shearer opened the floor for nominations for Vice President.

- Jane Quairoli nominated James Tesche.
- James Tesche nominated Jane Quairoli.

President Shearer closed nominations for Council Vice President and called for a roll call vote for the nomination of James Tesche.

<i>Matthew Andrews</i>	-	<i>No</i>
<i>Anthony Catalani</i>	-	<i>Yes</i>
<i>Nancy Fleegle</i>	-	<i>Yes</i>
<i>William Garber</i>	-	<i>No</i>
<i>Jane Quairoli</i>	-	<i>Yes</i>
<i>Beth Shearer</i>	-	<i>Yes</i>
<i>James Tesche</i>	-	<i>Yes</i>

The nomination was approved by a 5-2 vote.

At the conclusion of selecting the President and Vice President of Council, Councilors rearranged their seats accordingly and the business of the meeting continued.

Public Comment Period #1

There were no public comments.

Consent Calendar

- a. Approve the minutes of the December 26, 2023, Borough Council meeting.

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

Action & Discussion Items

- a. Amending the 2024 Final Budget: According to Section 1311 of the Pennsylvania Borough Code, The newly elected Council has the option to re-open and amend the 2024 Final Budget. The consensus of Council was to allow the budget to stand as approved.

- b. Resolution #2024-01 – Appoint Borough Manager/Secretary:

Motion: To approve Resolution #2024-01, a resolution to re-appoint Roger E. Powl to serve as the Borough Manager/ Secretary, at the discretion of Borough Council, until the First Monday of January 2026. Motion by James Tesche, second by William Garber. Motion passed.

- c. Resolution #2024-02 – Appoint Assistant Borough Manager/Assistant Secretary/Assistant Treasurer:

Motion: To approve Resolution #2022-02, a resolution to re-appoint Brenda L. Pera to serve as the Assistant Borough Manager /Assistant Secretary/ Assistant Treasurer, at the discretion of Borough Council, until the First Monday of January 2026. Motion by Matthew Andrews, second by James Tesche. Motion passed.

- d. Resolution #2024-03 – Appoint Treasurer:

Motion: To approve Resolution #2024-03, a resolution to re-appoint Christine L. Donough to serve as the Treasurer, at the discretion of Borough Council, until the first Monday of January 2026. Motion by Jane Quairoli, second by Nancy Fleegle. Motion passed.

e. Resolution #2024-04 – Appoint Zoning Officer & Codes Enforcement Officer:

Motion: To approve Resolution #2024-04, a resolution to re-appoint Michelle A. Bowman to serve as the Borough Zoning Officer / Codes Enforcement Officer, and to re-appoint Light-Heigel Associates, Inc. 430 E. Main St., Palmyra, PA 17078, as the PA Uniform Construction Code (UCC) Building Code Official, at the discretion of Borough Council, until the First Monday of January 2026. Motion by James Tesche, second by Matthew Andrews. Motion passed by a 6-1 vote with Jane Quairoli voted against the motion.

Councilor Quairoli qualified her vote by commenting that her vote is not against Michelle Bowman personally because she believes Michelle is doing a great job for the Borough. Her no vote was against the necessity of the position altogether.

f. Resolution #2024-05 – Appoint Borough Solicitor:

Motion: To approve Resolution #2024-05, a resolution to re-appoint Josele Cleary of Morgan, Hallgren, Crosswell & Kane, P.C., 700 N. Duke Street, Lancaster, PA 17604 to serve as the Borough Solicitor, at the discretion of Borough Council, until the First Monday of January 2026. Motion by Jane Quairoli, second by Nancy Fleegle. Motion passed.

g. Resolution #2024-06 – Appoint Borough Engineer:

Motion: To approve Resolution #2024-06, a resolution to re-appoint Mike Knouse, PE of RETTEW Associates, Inc., 5031 Richard Lane, Suite #111, Mechanicsburg, PA 17055, to serve as the Borough Engineer, at the discretion of Borough Council, until the First Monday of January 2026. Motion by James Tesche, second by Nancy Fleegle. Motion passed.

h. Resolution #2024-07 – Appoint Borough Sanitary Sewer Engineer:

Motion: To approve Resolution #2024-07, a resolution appointing Mike Knouse, PE of RETTEW Associates, Inc., 5031 Richard Lane, Suite #111, Mechanicsburg, PA 17055 to serve as the Borough Sanitary Sewer Engineer, at the discretion of Borough Council, until the First Monday of January 2026. Motion by James Tesche, second by Jane Quairoli. Motion passed.

i. Resolution #2024-08 – Appoint Municipal Reps – Leb. Co. Tax Collection Committee:

Motion: To approve Resolution #2024-08, a resolution appointing Ronald E. Fouche to serve as the delegate, and Lisa M. Daubert to serve as the alternate delegate, to the Lebanon County Tax Collection Committee for the Year 2024. Motion by Jane Quairoli, second by Beth Shearer. Motion passed.

j. Resolution #2024-09 – 2024 Fee Resolution:

Motion: To approve Resolution #2024-09, 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 Council for reappointing her as President and vowed to serve the Borough proudly.
- b. Financial Report: Both the financial statement and delinquent sewer and refuse report will be available at the January 23rd meeting.

- c. Fire Department: Mr. Powl informed Council that a meeting was held on December 20th regarding conversations on forming a regional fire department authority with several northern Lebanon County municipalities. Mr. Powl and Ms. Pera were not able to attend, but follow-up information received from the Palmyra Fire Chief indicated that everyone in attendance was interested in pursuing the conversation further.
- d. Police Department: Chief Winters stated that he would have the monthly report available for the next meeting.
- e. Planning Commission: The Commission did not meet in December.
- f. Public Works Department:
 1. Superintendent's Monthly Report: Mr. Powl provided a copy of the December 2023 report.
 2. Borough Properties:
 - a. Municipal Building – 325 S. Railroad Street:
 - Building Renovations Update: The renovations have been completed except for a few punch list items. The floors need to be stripped and waxed and a contractor has been contacted and will look to complete this task in January.
 - b. Public Works Department – 910 E. Broad Street:
 - Cell Tower Update: Nothing has been received from Shentel on the agreement.
 - c. Town Square:
 - d. Vacant Lot – 40 E. Front Street:
 - e. Vacant Lot – N.E. corner of the intersection of N. Lingle Ave and W. Main St:
 - 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)
 5. Refuse & Recycling: Mr. Powl commented that he will begin working on new contract bid documents to be sent out in spring.
 6. Sewer System:
 7. Sinkholes:
 - a. New: None
 - b. Old:
 1. 300 Block E. High Street (east side of Grant Street Bridge)
 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 – Basin Improvement Project Update:
 - b. Bio-Swale (west of S. Lingle Ave) MS4 Project Update:
 9. Street & Alley Maintenance: Public Works is working on potholes as necessary.
 10. Traffic Signals: Mr. Powl mentioned that C.M. High will be doing maintenance on the traffic signals. Ms. Pera commented that they contacted the Borough about the signals at Main & Railroad Streets. They were requested to provide a new quote because there are parts on the east/west signals at Main Street that are not working properly and should be replaced while they are there performing the maintenance.
 11. Other:
- g. Solicitor's Report: Mr. Powl reported that Christopher Behney, owner of 1 E. Main Street, is working to purchase the liquor license held by his brother, Derek Nincovich, for the purposes of using it at his proposed restaurant at 1 E. Main Street. He requested a transfer hearing for January 23rd but agreed to have the hearing on February 13th to allow time to submit the transfer request to the Liquor Control

Board. Mr. Powl will keep Borough Council apprised of any additional information as it becomes available.

- h. Zoning & Codes Enforcement: The monthly report will be available at the January 23rd meeting.

Zoning Hearing Board: Hearings are scheduled for Monday January 8th at 5:30 p.m. for the following applications:

- a. 800 Block E. Broad Street (SHARE PARK LLC): (Caring Cupboard) Light Industrial (LI) Zoning District.
 - Seeking a use variance for 380-21(B). The use variance, if granted, would allow for a food bank on the 1st floor and a townhouse complex on the 2nd floor of the proposed building.
- b. 101 N. Harrison Street (Ventura Real Estate Development LLC.): Town Residential (TR) Zoning District.
 - Seeking an extension of the existing approvals related to a proposed multifamily residential use with accessory parking and common areas.

- i. Borough Manager's Report:

1. Mr. Powl announced that the discussion which occurred at a previous executive session has transitioned into a settlement agreement regarding the personnel issue. To act on the agreement, Council will need to approve the change to the agenda, then consider action on the agreement.

*Motion: To amend the agenda to add a motion to approve a settlement agreement.
Motion by James Tesche, second by Jane Quairolì. Motion passed.*

*Motion: To approve the Settlement Agreement and General Release for Robert Donachy.
Motion by Jane Quairolì, second by Beth Shearer. Motion passed.*

2. Mr. Powl informed Council that the Public Works crew is shorthanded, which requires the three crew members on staff to carry the on-call phone every three weeks. He is aware of other municipalities that pay additional compensation to the individual that carries the on-call phone just for the week that they have the additional assigned responsibility. He checked with North Londonderry Township, and they pay the on-call staff member \$100 for the week and \$50 for a weekend. He would like to initiate the same type of program, but within the approved budget for overtime. Council agreed with Mr. Powl on the concept of an on-call stipend and requested that he look at how it could be implemented in the Borough.

Other Business

There was no other business.

Public Comment Period #2

There were no public comments.

Announcements

President Shearer announced that Borough Council will conduct its next public meetings on Tuesday, January 23, 2024, and on Tuesday, February 13, 2024 beginning at 7:00 PM.

Motion to Adjourn

Motion to adjourn the meeting by Jane Quairolì, second by James Tesche. The meeting adjourned at 7:41 PM.

Respectfully submitted,

Roger E. Powl
Borough Manager