

Palmyra Borough Council Meeting
Tuesday May 23, 2023
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, and Jane Quairolì. Also, in attendance were Police Chief Andy Winters, Borough Manager Roger Powl, and Assistant Borough Manager Brenda Pera. Tom Miller, James Tesche, and Mayor Fred Carpenter were absent from the meeting.

Public Comment Period #1

There were no public comments.

Consent Calendar

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

- a. Approve the minutes of the May 9, 2023 Borough Council meeting.
- b. Approve payment of all bills listed on the April 2023 Detailed Check Listing Report.
- c. Approve the Treasurer's Report for the period April 1 through April 30, 2023:

	General Fund	Sewer Fund	Refuse Fund	Capital Reserve Fund	Special Sewer Fund	Liquid Fuels Fund
YTD Revenue	\$934,619	\$778,863	\$509,359	\$8,362	\$13,891	\$224,575
YTD Expenses	\$775,936	\$553,522	\$413,351	\$315,206	\$3,065	\$0
Difference	\$282,559	\$225,341	\$96,008	\$(306,844)	\$10,826	\$224,575
Fund Balance	\$953,016	\$329,585	\$265,454	\$1,513,937	\$2,113,842	\$281,539

	Library Fund	Police Health Care Fund	Joint Fire Apparatus Fund	Cemetery Fund	Employee Benefits Fund	Fire Protection Tax Fund
YTD Revenue	\$18,013	\$54,572	\$943	\$205	\$197,280	\$226,215
YTD Expenses	\$0	\$17,069	\$8,921	\$0	\$0	\$82,196
Difference	\$18,013	\$37,504	\$ (7,978)	\$205	\$197,280	\$144,018
Fund Balance	\$19,926	\$343,058	\$193,423	\$43,926	\$733,480	\$150,350

Motion: To approve the consent calendar. Motion by Jane Quairolì, second by William Garber. Motion passed.

Action & Discussion Items

- a. Ordinance #824 – Vacation of “Paper” Streets:

Motion: To enact Ordinance #824, an ordinance vacating and abandoning portions of North Prince Street and East High Street that are unnecessary and unimproved “paper” streets. Motion by Jane Quairolì, second by Don Barry. Motion passed.

Reports

- a. President's Report: President Shearer wished everyone a Happy Memorial Day and shared a reminder that the Memorial Day parade is scheduled for Monday, May 29th at 10 AM.
- b. Financial Report: Mr. Powl provided a copy of the Financial Statement as of April 30, 2023.
- c. Fire Department: There was no report.
- d. Library Report: Councilor Quairolì provided a copy of the May 2023 report.
- e. Police Department: Chief Winters presented a copy of the April 2023 report. He also reported on the May 10th inaugural meeting of the Western Lebanon County Regional Police Commission. James Tesche was elected Chairman, Rex Moore was elected Vice-Chairman, and Henry Lively was elected as Secretary/Treasurer. Councilor Garber asked about the results for the posting of the radar speed signs on N. Chestnut St and N. Grant St and Chief Winters said he will e-mail the reports to Council.
- f. Recreation Commission: Councilor Quairolì (Wednesday May 17th meeting)
- g. Solicitor's Report: Mr. Powl commented that the Solicitor is working with the attorney representing the property owner at Red Haven Drive & E. Ridge Road regarding the creation of a consent agreement. The agreement pertains to the recent zoning action regarding the bushes planted in the site-distance triangle.
- h. Zoning Hearing Board: Mr. Powl provided copies of the following applications for Hearings scheduled on Monday June 12th beginning at 5:30 PM. Council did not take any position on the applications and deferred to the Zoning Hearing Board's decision.
 1. 827 W. Main Street (DNR Rentals, LLC):
 - Seeking Special Exception under Section 380-20.C(18) to establish a Short-Term Rental unit
 2. 417 W. Main Street (Richard Whitman):
 - Seeking Special Exception under Section 380-18.C(18) to establish (2) Short-Term Rental units
 - Seeking Variance of Section 380-38.I(1) (Required Off-Street Parking Spaces)
 - Seeking Variances of Section 380-117.B (STR only permitted in single-family dwelling) and Section 380-177.K (One contract for rent allowed at a time)
- i. Borough Manager's Report:
 1. Borough-wide Geophysical Study Update: Mr. Powl reported that he met with Dr. Seaton from ARM Group, Inc. They have completed the overall data collection for the Borough as a whole and will be returning to specific areas for more data.
 2. Mr. Powl mentioned the end of a probationary status for Adam Willey of the Public Works Department is scheduled for May 28, 2023. However, he respectfully requests Council to approve a three-month extension of the probationary period until August 28, 2023.

Motion: To approve an extension of the probationary period for Adam C. Willey for and additional three months ending August 28, 2023. Motion by Jane Quairolì, second by Beth Shearer. Motion passed.

3. Mr. Powl commented that the Public Works Superintendent Plouse asked to revisit the addition of a water fountain at Memorial Park. He stated that the crew has been informally polling individuals in the park while they were installing the roof on the new pavilion and received a positive response. Mr. Powl mentioned that there are still funds in the Fireman's Park account to cover the costs.

Motion: To approve the installation of a water fountain at Memorial Park and use the Fireman's Park fund balance to cover the costs. Motion by Jane Quairoli, second by Beth Shearer. Motion passed.

Other Business

- William Garber raised some questions regarding the outcome of the recent primary election. He stated that only three candidates were listed, but more people ran write-in campaigns. Ms. Pera advised him that only three positions were available, and the County will only certify the three candidates with the highest vote totals.
- Councilor Quairoli reported that she participated in an event with the Palmyra Public Library and Caring Cupboard and learned a troubling statistic about Palmyra Borough. She stated that 14.8% of the families in the Borough are living below the poverty line.

Public Comment Period #2

- Dave McCloskey, 212 E Ridge Road, inquired why Council did not act on the Zoning Ordinance Compliance Consent Agreement concerning the property at 138 N. Railroad Street. It was determined that the item was added to the agenda after the Council packets were delivered and copies of the new agenda were not provided to Council for the meeting. Copies of the new agenda were provided to the audience at the sign-in podium.

Mr. Powl explained that the Borough Solicitor developed an agreement for the property owner at 138 N. Railroad Street to bring the property into compliance with the Zoning Ordinance. The property owner has signed the agreement and the time deadline that she must become compliant will be 30-days from the date that Council approves the agreement.

Motion: To authorize the Borough Council President to execute the Consent Agreement with the property owner of 138 N. Railroad Street to bring the property into compliance with the Zoning Ordinance, keep the property in compliance with the Zoning Ordinance, and reimburse the Borough for the filing fees and attorney's fees in exchange for the Borough's agreement to forego civil penalties unless and until renewed or additional violations occur. Motion by William Garber, second by Don Barry. Motion passed.

- Dave McCloskey also inquired as to what President Shearer meant when she stated at the last meeting that Council must be held to a higher standard. President Shearer explained that she believes Council must always lead by example. Mr. McCloskey agreed with President Shearer that Council must be above board.

Councilor Quairoli commented that Councilors are human, and everyone makes mistakes.

President Shearer and Councilor Quairoli discussed the actions of calling for the resignation of a former Councilor when they broke the law when Councilor Quairoli was serving as Council President.

Councilor Garber mentioned that Councilors should not use or abuse their position.

Councilor Barry explained that there is nothing Borough Council can do to force a resignation, therefore, the issue will be settled by the voters in the next municipal election in 2-years.

- Greg Reed, 233 E. Hazel Street, agreed with Councilor Quairolì.
- Jael Wolfe, 301 E Cherry Street, asked Council to consider adding flashing lights in the crosswalk at the Cherry Street & Railroad Street intersection. Mr. Powl stated that the Borough is currently conducting a traffic study at the intersection, and he will let the Borough Engineer know to consider this idea in the study.

Announcement

President Shearer announced that Borough Council will conduct its next public meetings on Tuesday, June 13, 2023, and Tuesday, June 27, 2023 beginning at 7:00 PM.

Motion to Adjourn

Motion to adjourn the meeting by Jane Quairolì, second by William Garber. The meeting adjourned at 7:43 PM.

Respectfully submitted,

Roger E. Powl
Borough Manager