



**WORMLEYSBURG BOROUGH
COUNCIL MINUTES
DECEMBER 8, 2020**

The monthly meeting of the Wormleysburg Borough Council was held on Tuesday, December 8, 2020 on Zoom as advertised. Mr. Martini called the meeting to order at 7:30 p.m. and noted that the state of emergency related to Corona Virus 2019 (Covid-19) remains in effect. Borough Administrative Assistant Lori Schmidt acted as host.

The Pledge of Allegiance was led by Mr. Martini.

Borough Administrative Assistant Schmidt called the roll.

President Thomas L. Martini	-	Present
Mayor George O. Preble	-	Present
Vice-President Stephen M. Hawbecker	-	Present
Mr. Joseph Deklinski	-	Present
Mr. George Kahler	-	Present
Ms. Sue Stuart	-	Present
Mr. Warren Stumpf	-	Present
Ms. Margaret Stuski	-	Present

The following individuals were in attendance: Borough Manager Deb Ealer, Borough Solicitor Bryan Salzman, Esq., and West Shore Regional Police (WSRP) Chief Michael Hope.

APPROVAL OF THE MINUTES

ACTION: On motion made by Mr. Deklinski and seconded by Mr. Stumpf, the minutes of the November 10, 2020 meeting were unanimously approved as presented.

APPROVAL OF THE AGENDA

The agenda was accepted as presented with no changes.

CITIZENS' COMMENTS

No citizens.

BUILDING PLANS

There were no building plans.

PUBLIC HEARINGS – Ordinance 524

Mr. Martini recessed Council and opened the public hearing at 7:34 p.m. to receive comments on proposed Ordinance 524, which replaces and repeals Ordinance 461, adopting the 2018 International Property Maintenance Code (IMPC) to underpin Borough jurisdiction on codes standards, compliance and development.

There were no comments.

Mr. Martini closed the public hearing at 7:35 p.m. He then reconvened the Council meeting.

ACTION: On motion made Ms. Stuski and seconded by Mr. Deklinski, Council unanimously approved Ordinance 524, adopting the 2018 IMPC.

REPORTS FROM APPOINTED BOROUGH OFFICERS

Borough Manager/Secretary

Council accepted the Borough Manager's monthly report, which was emailed, with no questions.

Borough Treasurer

Treasurer Ealer presented the November report with the relevant check registers. There were no questions.

ACTION: On motion made Ms. Stuart and seconded by Mr. Hawbecker, the November Treasurer's report was approved unanimously as presented and sent to the file for audit.

Borough Solicitor

The Borough Solicitor had no report.

Borough Engineer

The Borough Engineer's report was provided electronically.

COUNCIL PRESIDENT'S REPORT

Mr. Martini thanked staff for all their work during this difficult time.

COUNCIL VICE-PRESIDENT'S REPORT

ACTION: On motion made by Mr. Hawbecker and seconded by Ms. Stuski, Council unanimously approved the distribution of funds as follows (as evidenced by the check registers dated from 11/11/20 to 12/08/20).

<u>Accounts</u>	<u>Number of Checks</u>	<u>Distribution Summary</u>
General Fund	37	\$ 45,777.31
Fire Tax Fund	2	\$ 1,145.80
Sewer Fund	30	\$ 72,634.70
Total		\$ 119,557.81*

**The distribution summary total may include inter-fund transfers in keeping with accounting requirements.*

MAYOR'S REPORT

The Mayor provided his monthly report, which was accepted without questions.

Chief Hope reported that the Department's third accreditation is nearly complete except for the final visual assessment, which will be done as soon as Covid-19 restrictions allow the reviewers to visit Police headquarters.

COMMITTEE REPORTS

Administrative Committee

- i. **STMP Grant - Mr. Hawbecker presented for the second time the Response to Request for a Fiscal, Operational and Strategic Management Plan proposal, Option 1, from the Pennsylvania Economic League for action.**

ACTION: On motion made by Mr. Hawbecker and seconded by Ms. Stuart, the PEL proposal (dated 10/23/20) was discussed at length. After discussion, Ms. Stuski asked that the motion to accept the proposal be tabled until the January meeting.

This project is part of the grant received from the PA Department of Community and Economic Development earlier this year. The consensus of Council was to first review several questions put forth by Council with representatives of PEL prior to initiating any formal agreement. Council President Martini asked Manager Ealer and Council Member Stuski to determine the specific issues and remedies in time for action at the next meeting.

- ii. **Mr. Hawbecker presented the final 2021 budget, which had been advertised, for discussion. He noted that the open questions from last month's meeting had been resolved and were reflected in this budget.**

ACTION: On motion made by Mr. Hawbecker and seconded by Mr. Deklinski, Council unanimously approved the 2021 Budget.

- iii. **Mr. Hawbecker introduced Resolution 2020.08, which updates and sets fees for 2021. The Fee schedule establishes charges for various Borough services, building and land development, and subdivision fees, including right-to-**

know records processing, recreational activities, business licenses, various zoning-related costs, and other permit applications.

ACTION: On motion made by Mr. Hawbecker and seconded by Mr. Deklinski, Council unanimously approved Resolution 2020.08, 2021 Fee Schedule.

ix. Mr. Hawbecker introduced Resolution 2020.09, which fixes the general purpose and fire tax rates for Fiscal Year 2021. It includes specifics related to discounts and timing. Mr. Martini noted that taxes stayed the same as last year, at two and 64/100 mils for real property valuation and 937/1000 mil for fire tax. However, tax rates may increase in 2022 to account for anticipated capital project needs.

ACTION: On motion made by Mr. Hawbecker and seconded by Mr. Deklinski, Council unanimously approved Resolution 2020-09 affirming the 2021 tax rates as specified.

Parks, Public Lands and Recreation Committee, COG

Ms. Stuski reported that she hopes to resume meetings when possible.

The Capital Area Council of Governments met to pass their annual budget with a slight increase in membership fees. The annual dinner is scheduled for January 18, 2021, and all are invited.

Planning Commission and Streets, Sanitary/Highway Committee

MS4 Revision – Mr. Deklinski noted that engineers reviewed the Pollutant Reduction Plan (PRP) for the MS4 Permit, and they suggest that the Borough revise its MS4 Pollutant Reduction Plan to remove the bioswale strategy and instead extend the BMP alternative (stream restoration) to a total length of 900 feet. They believe the additional stream bank improvement along with alterations and a reconfiguration to the three discharge pipes that extend out and over the creek bank will be the most cost-effective way to manage run off. In addition, the NDPEs permit will be amended by parsing out the 27 acres of PennDOT roads. This will reduce the sedimentation requirements thus providing the allowances needed for the modified project.

It is anticipated these alternative strategies will reduce the cost of this mandated project considerably. A revised estimate will be developed. Our engineers also noted that through preliminary discussions with the DEP staff it appears this project will be acceptable. This is laid out in the Rettew Memo dated November 30, 2020, Project No. 017643001.

ACTION On motion made by Mr. Deklinski and seconded by Ms. Stuski, Council unanimously agreed to authorize the engineers to revise the existing MS4 plan as proposed and to authorize an expenditure not

to exceed \$1,600 to revise and resubmit the plan to the Department of Environmental Protection.

Walnut Street Draining Project – Mr. Deklinski noted that our engineers have held discussions with the new third-party permit organization staff handling permit reviews for Norfolk Southern. A new permit application will need to be submitted as their requirements have changed. An application fee of \$2,500 is required and was budgeted, along with liability insurance certificates and fees. They are still working to secure the Highway Occupancy Permit (HOP) from PennDOT, which allows us to access state right-of-way. Council was in agreement that the project should continue and the new permit application to Norfolk Southern be pursued.

Line Painting on Front Street – Mr. Deklinski reported that line painting along Front Street has been moved to 2021. While we anticipated this task would be done during the summer, several unanticipated factors altered the schedule.

- i. First, it was decided that priorities for painting should have been and were shifted to crosswalks, line of sight triangles and yellow no-parking curbing throughout the Edgewater area. This was viewed as a higher safety priority and has been completed.**
- ii. Second, we experienced a considerable delay in receiving PennDOT's determination that it is the Borough's responsibility (if it chooses) to repaint the parking spaces and cross hatching along Front Street.**
- iii. Third, the specifications and other requirements necessary to ensure safety and quality of the work really require a third-party organization skilled in this type of activity. Our preliminary discussions indicate it will also be more cost effective to include other sections of Front Street that are also in need of repainting. Consequently, funding has been allocated in the 2021 budget to begin this work and to include repainting parking space lines along North and South Second street.**

Ordinance Review – Noting that the Borough Manager received one complaint about parking a certain kind of vehicle along Front Street, Council discussed a potential review of existing ordinances. Discussion included the challenges associated with maintaining the rights of residents to retain full use of their properties while balancing the community's quality of life. Counsel reminded members to avoid spot zoning and that it is unlawful to revise existing zoning ordinance and to then retroactively attempt to impose the new requirements upon previously existing conditions.

After discussion, it was agreed that the Planning Commission would, in due course, review the existing borough Comprehensive Plan including the current land use map, existing zoning and sub-division ordinances, and policy positions. The Commission is also directed to identify the availability of possible new funding sources to promote business and enterprise development in small boroughs. It was agreed that this effort will tie well into the undertaking of a new strategic plan and any expected land use issues in 2021.

ACTION: On motion made by Mr. Deklinski and seconded by Mr. Stumpf, Council unanimously agreed to direct the Planning Commission to review and recommend as needed any updates to the current comprehensive plan and zoning and sub-division ordinances. This should include an overview of various planning and zoning issues, and business development opportunities.

Service/Property Committee

Mr. Kahler made no report.

Codes Enforcement, Zoning, Sidewalks and Shade Trees Committee

Ms. Stuart made no report.

Public Safety Committee

ACTION: On motion made by Mr. Stumpf, and seconded by Mr. Deklinski, Council unanimously approved the WSBF Major Incident Types and Classification reports for November 2020.

NEW BUSINESS

Request for reimbursement – It was agreed by unanimous consent that the Borough has no financial liability for the request for the reimbursement of expenses related to a recent road accident.

OLD BUSINESS

Zoning Hearing Board – Action on the vacancy.

ACTION: On motion made Ms. Stuski and seconded by Mr. Hawbecker, Council unanimously approved the appointment of resident Darren McClure to the Zoning Hearing Board, effective January 1, 2021, for a three-year term.

ADJOURNMENT

ACTION: On motion made by Mr. Martini, Council meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Sue Stuart
Acting Recording Secretary

Deborah Ealer
Borough Manager

BOROUGH OF WORMLEYSBURG
20 MARKET STREET • WORMLEYSBURG, PA 17043