



**WORMLEYSBURG BOROUGH  
COUNCIL MINUTES  
FEBRUARY 14, 2023**

The monthly meeting of the Wormleysburg Borough Council was held on Tuesday, February 14, 2023, in Council Chambers. President Sue Stuart called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was led by Ms. Ealer.

A moment of silence was observed for Eugene Rhone, who passed away on January 27, 2023.

Borough Manager Ealer called the Roll.

President Sue Stuart	-	Present
Mayor George O. Preble	-	Absent
Vice-President Stephen M. Hawbecker	-	Present
Mr. George Kahler	-	Present
Mr. Warren Stumpf	-	Present
Ms. Margaret Stuski	-	Present
Mr. Joshua Plaza	-	Present
Mr. Michael Rudy	-	Present

The following individuals were also in attendance: West Shore Regional Police Chief Anthony Minium, WSRPD Assistant Chief John Friel and Borough Solicitor Bryan Salzmnn, Esq. Guests present were West Shore Bureau of Fire Representative Yolanda Garlinger and Library Representative Tim Ellis.

**PUBLIC COMMENTS**

No comments.

**APPROVAL OF THE MINUTES**

**ACTION:** On motion made by Mr. Hawbecker and seconded by Mr. Plaza the minutes of the January 10, 2023, meeting was approved by Council with the following amendments to the minutes as Ms. Stuski requested:

- i. Ms. Stuski was not present at the Council meeting during the nomination and appointment of Council President.
- ii. Mary Ann Redding was interviewed December 13, 2022, by Council, for the vacant Council position.

## **APPROVAL OF THE AGENDA**

The agenda was accepted as presented.

Ms. Stuski motioned to amend the agenda to include an Executive Session. Ms. Stuart called for a second to the motion. No second. Motion died due to lack of second.

## **BUILDING PLANS**

There were no building plans.

## **PUBLIC HEARINGS**

No public hearings.

## **REPORTS FROM APPOINTED BOROUGH OFFICERS**

### **Borough Manager**

The Borough Manager's monthly report, which was provided electronically, was accepted.

Ms. Stuski requested a detailed report of delinquent sewer accounts.

### **Borough Treasurer**

The January Treasurer's report, which was provided electronically, was reviewed.

**ACTION:** On motion made by Mr. Hawbecker and seconded by Mr. Stumpf, the January Treasurer's report was accepted 6 – 1, with Ms. Stuski voting no, and directed to be filed for audit.

### **Borough Solicitor**

After a lengthy discussion, Council directed Solicitor Salzmann to amend the draft Airbnb Ordinance.

### **Borough Engineer**

Mr. Smith presented Council with the findings upon utilizing GIS to evaluate the impervious coverages for all properties in the Borough in order to calculate the Equivalent Residential Unit (ERU). One ERU represents the average impervious area in square feet for the single-family residential properties which includes residential one family and two-family land uses. We determined one ERU to be 3,120 square feet of impervious area. Each single-family residential property is equivalent to 1 ERU. For the non-single family residential properties, we divided the impervious coverage for each property by 3,120 SF (or 1 ERU) to calculate the equivalent ERUs. Please note partial ERUs were rounded to the nearest whole number for calculation purposes but no property was assessed as less than 1 ERU. Borough-owned properties and fee simple condominium properties were not included in the ERU calculations. The result is a total of 1,550 ERUs for the stormwater fee assessment. Using a spreadsheet of income versus expenses for your stormwater program that

we developed with staff's input, we've come up with a stormwater fee of \$25 per ERU per quarter for your consideration.

**ACTION:** On motion made by Mr. Stumpf and seconded by Mr. Kahler, Council unanimously approved the Borough Solicitor begin drafting the Stormwater Fee Ordinance.

At Ms. Stuski's request, Council agreed to give the Stormwater Fee to the Parks and Recreation Committee with the understanding the committee will come back at the next council meeting on March 14, 2023, with their recommendation.

The Borough Engineer report was provided electronically summarizing the status of the following projects and tasks to be performed:

- i. S. Front St. Parking Lot – We revised the layout to make a two-way access onto S. River St. and delete the proposed access from Front St. in order to comply with Zoning Section 1103.N.4.a and to also preserve the existing on-street parking spaces along S. Front St. We also revised the revised the screening and buffering to conform with the Zoning Ordinance. After meeting with staff, we will make some adjustments to the screening and buffering along the north and south property lines. We advised the Borough you should consult with your Solicitor to determine if additional steps must be taken to address non-compliance with Section 1103.N.4.b. as outlined in the Zoning Ordinance.
- ii. Rupley Park MS4 BMP Project – We submitted the General Permit application to PADEP for the stream impacts. We also assisted staff in completing the initial forms required by DEP for the awarded Growing Greener grant.

#### **COUNCIL PRESIDENT'S REPORT**

Ms. Stuart provided the report electronically and it was reviewed in detail by the President.

Ms. Stuski opposed the sharing of PEL Summary information.

#### **COUNCIL VICE-PRESIDENT'S REPORT**

Mr. Hawbecker provided the report.

**ACTION:** On motion made by Mr. Hawbecker and seconded by Mr. Kahler, Council in attendance unanimously approved the distribution of funds as follows (as evidenced by the check registers dated from 1/10/2023 to 2/14/2023).

<u>Accounts</u>	<u>Number of Checks</u>	<u>Distribution Summary</u>
General Fund	31	\$ 50,249.07

<b>Fire Tax Fund</b>	<b>5</b>	<b>\$</b>	<b>923.78</b>
<b>Sewer Fund</b>	<b>24</b>	<b>\$</b>	<b>313,773.43</b>
<b>Total*</b>		<b>\$</b>	<b>364,946.28</b>

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

## **MAYOR'S REPORT**

Chief Minium provided the monthly report, in lieu of the Mayor, which was accepted without questions.

## **COMMITTEE REPORTS**

### **Parks, Public Lands and Recreation Committee, COG**

Ms. Stuski advised that the Parks and Recreation Board's February meeting was held.

Ms. Stuski reported that she attended CapCOG's annual dinner.

### **Sanitary/Highway/Streets/Planning Committee**

No report.

### **Service/Property Committee**

Mr. Kahler reported that the office renovation remains on scheduled and it is projected to be completed the first week in March.

### **Codes Enforcement, Zoning, Sidewalks and Shade Trees Committee**

No report.

### **Public Safety Committee**

**ACTION:** On motion made by Mr. Stumpf and seconded by Mr. Plaza, Council unanimously approved the West Shore Bureau of Fire (WSBF) Major Incident Types and Classification reports for January 2023.

### **Administrative Committee**

Mr. Hawbecker advised that the Administrative Committee will be meeting on March 9, 2023, at 1:00 p.m.

## **NEW BUSINESS**

- ACTION:** On motion made by Mr. Stumpf and seconded by Mr. Plaza, Council voted unanimously to appoint Michael Rudy to the Planning Commission.
- ACTION:** On motion made by Mr. Stumpf and seconded by Mr. Plaza, Council voted unanimously to appoint Marge Stuski as voting delegate for the PSAB Conference.
- ACTION:** On motion made by Mr. Plaza and seconded by Mr. Hawbecker, Council voted 6 – 1, with Ms. Stuski voting no, to approve Resolution 2023.03 – Declaration of Zoning Ordinance being Substantively Invalid.

## **OLD BUSINESS**

Mr. Stumpf advised the Hometown Heroes Banner Program has been tabled due to lack of interest.

## **ADJOURNMENT**

- ACTION:** On motion made by Ms. Stuart, Council meeting was adjourned at 8:50 p.m.

Respectfully submitted,

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Lori Schmidt  
Recording Secretary

Deborah Ealer  
Borough Manager

BOROUGH OF WORMLEYSBURG  
20 MARKET STREET • WORMLEYSBURG, PA 17043