

## REGULAR MEETING OF HALLAM BOROUGH COUNCIL

February 12, 2024

The regular monthly meeting of the Hallam Borough Council was held at the Hallam Borough Municipal building, located at 250 West Beaver Street, Hallam, PA 17406 at 6:30 p.m. with the following members present: President Dan Harsh, VP Sue Horner, Harry (Chip) Smith, Jr., Rhonda Smeltzer, Stephanie Felix and Cindy Knox.

Sharon Dupler, Secretary, Derek Rinaldo, C.S. Davidson Inc., Attorney Devon Myers, CGA Law Firm and to the best of my knowledge the following attendees: Chief Doug Pollock (Hellam Township Police Department), Chief Eric Strittmatter (Hellam Fire Co.), Joshua Phillips (Hellam Township Police Officer/resident at 269 W. Beaver St.), Barry Miller, Howard Gromling and Carl Newcomer (Hallam Borough Road Crew), Nicholas Troutman (416A Buttonwood Ln.), Shane Dupler (123 S. Prospect St.), Derek Dietz (280 Meadowbrook Ave.), Axel Ulrich (234 W. Beaver St.), Chris Eaton (EYCEMA Coordinator), Julia Scheib (LNP Media), Meredith Schreffler, Bill Fitzpatrick (197 S. Broad St.), Porter Stevens and Kathy Wyrosdick (Michael Baker International).

President Harsh called the meeting to order. **Chip moved, seconded by Cindy to approve the January 8, 2024 Council meeting minutes as written. Motion passed unanimously.**

Police Report – Chief Pollock gave the monthly police report. There were 103 calls for the month of January in the Borough. Several training exercises were completed. Chief Pollock noted that the monthly reports will now include a breakdown of cases. He also informed Council that ambulance reports will once again be distributed.

Fire Company Report – Chief Strittmatter gave the monthly fire company report. There were 5 calls and 0 false alarms in Hallam Borough for the month of December and 3 calls and 0 false alarms in the Borough for the month of January. Members attended required training exercises. On December 18, 2023, for the first time since the private bridge and three homes were removed in the 200 block of Frysville Road, the roadway flooded and a vehicle was disabled in the water. The water begins pooling on the south side of the bridge where the stream flows out of the field which is located in Hellam Township. The Brush truck replacement is scheduled for completion in June 2024. In late January, the fire company received confirmation of a grant award from the PA State Fire Commissioners in the amount of \$16,952. This grant will be used to purchase a battery powered ventilation fan, two thermal imaging camera, two explosive gas meters and numerous items properly sized for the larger winch on the new Brush truck. There were no questions on the report.

Solicitor Report: At the request of the public works department, there was some discussion regarding parking during snow emergencies and parking recreational vehicles/trailers along Borough streets for long periods of time. Devon stated the PA vehicle code allows the restriction of long-term parking or parking in excess of a specified amount of time which would not require a traffic study. There was discussion on restricting some areas of the Borough verses restriction of the entire Borough. Chip will meet with the public works department and make a recommendation at the next meeting.

Discussion took place regarding the sale of Borough personal property. In this instance, if the incoming Mayor did not need the laptop used by the outgoing Mayor, Sue Horner, she would be interested in purchasing the laptop if it were feasible. Devon stated that personal property of the Borough can be sold, by resolution, if the fair market value is determined to be under \$2,000.00. The former, former Mayor used a computer because he was clearing the PA One Calls which is now being done by public works and the zoning officer. Chip stated the Borough should keep the laptop for the current Mayor to use until it becomes obsolete.

Devon reminded Council that emails conducting Borough business are a form of public record and must be preserved and maintained by the Borough Secretary as required in the Municipal Records Act and Municipal Records Manual of the Pennsylvania Historical and Museum Commission. If emails must be deleted, a copy must be provided to the Borough Secretary prior to deletion. There was some discussion on creating an electronic mail policy that must be signed off on by Council and staff. **Dan moved, seconded by Chip to adopt a policy regarding conducting Borough business using electronic communications. Motion passed unanimously.** Devon will prepare a draft policy for review at the March meeting.

Devon stated that without a written policy, anyone on Borough Council and staff is allowed to contact the Solicitor at any time. To better manage the legal fee expense line item of the General Fund budget, a policy should be written stating who is allowed to contact the Solicitor regarding Borough matters, other than at a scheduled meeting or under the direction of Borough Council at a scheduled meeting. **Chip moved, seconded by Cindy to adopt a policy authorizing the Council President and Borough staff access to the Solicitor and if other Council members want to contact the Solicitor it must go through the President or Secretary. Motion passed unanimously.**

Attorney Myers announced that Scott Nelson has tendered his resignation from Borough Council on December 7, 2023. Council has until February 20, 2024 to appoint an individual to this vacancy. If the vacancy is not filled tonight, a special meeting will need to be held in 5 days concerning the matter. Sharon received four (4) letters of interest to fill the Council vacancy. Dan asked anyone that was interested to present themselves. Shane Dupler, Alex Spence, Derek Dietz and Meredith Schreffler introduced themselves to Council for consideration in filling the vacant Council seat. **Rhonda moved, seconded by Sue to appoint Derek Dietz to the Borough Council vacancy with a term to expire on**

**December 31, 2025. Yes-Rhonda, Steph, Sue. No-Chip, Cindy, Dan. Motion failed due to a tie vote and no Mayor seated to break a tie vote. Chip moved, seconded by Cindy to appoint Shane Dupler to the Borough Council vacancy with a term to expire on December 31, 2025. Yes-Chip, Cindy, Dan. No-Rhonda, Steph, Sue. Motion failed due to a tie vote and no Mayor seated to break a tie vote.** Bill Fitzpatrick questioned Sharon and/or Attorney Myers as to why the Mayor vacancy was listed after the Council vacancy on the agenda when the Mayor has the position to break a tie vote. Devon stated the resignation of the Mayor followed the resignation of the Council person, therefore was placed after the appointment of the Council vacancy on the agenda. She also stated that it doesn't matter which seat is appointed first; it is Council's decision as to which appointment to fill first. After some discussion, the consensus was to appoint an individual to the Mayor vacancy and then appoint an individual to the Council vacancy. There were three (3) letters of interest submitted to fill the Mayor vacancy. Dan requested all interested parties in attendance introduce themselves. Axel Ulrich and Nicholas Troutman introduced themselves to Council as interested in filling the Mayor vacancy. Karen Lydon submitted a letter of interest for the Mayor vacancy but, was not in attendance. Sharon read her letter of interest to the public. **Stephanie moved, seconded by Rhonda to appoint Axel Ulrich to fill the Mayor vacancy with the term to expire on December 31, 2025. Yes-Sue, Steph, Rhonda. No-Chip, Cindy, Dan. Motion failed due to a tie vote. Chip moved, seconded by Cindy to appoint Nicholas Troutman to fill the Mayor vacancy with a term to expire on December 31, 2025. Yes-Chip, Stephanie, Cindy, Sue, Dan. No-Rhonda. Majority voted yes. Motion passed.** Nicholas Troutman took the Mayor's seat at the Council table. Council proceeded with a motion to appoint an individual to the Council vacancy to fill an unexpired term which expires on December 31, 2025. **Cindy moved, seconded by Chip to appoint Shane Dupler to fill the Council vacancy with a term to expire on December 31, 2025. Yes-Chip, Cindy, Dan. No-Rhonda, Stephanie, Sue. Motion tied. Mayor voted no, breaking the tie vote. Motion failed. Sue moved, seconded by Rhonda to appoint Derek Dietz to fill the Council vacancy with a term to expire on December 31, 2025. Yes-Rhonda, Stephanie, Sue. No-Chip, Cindy, Dan. Motion tied. Mayor voted yes, breaking the tie vote. Motion passed.** Derek Dietz took the vacant seat at the Council table.

Devon reviewed comments from Wrightsville Borough's Solicitor regarding the draft Regional Fire Commission Intermunicipal Agreement. There was some discussion regarding the need for municipalities to get involved with the fire companies because they are considered a separate entity. By-laws should be established to go along with the agreement. **Chip moved, seconded by Cindy to table the Regional Fire Commission Intermunicipal Agreement exercise until a sense of direction or purpose of forming a Regional Fire Commission is reached by the Emergency Services committee and brought before Council. Yes-Dan, Chip, Rhonda, Stephanie, Cindy, Sue. Derek-abstained. Motion passed.**

Engineer report: PA Water and Sewer Grant: The grant paperwork has been signed by the Borough and waiting for DCED to return a fully executed contract. Derek sketched out the storm sewer replacement consistent with the grant and must complete a boundary survey for construction. The plan is to bid the project this Summer.

2024 Street Maintenance: Derek, along with Chip, Cindy, and Dan, toured the Borough streets to complete an assessment for future maintenance and potential projects. There was some discussion on assessing what maintenance and projects need to be done and developing a coordinating 5-year street plan and comprehensive storm water plan. This would give advance notice to not only the homeowners, but coordination efforts can be made with the utility companies as well.

Susquehanna Micro Expansion: Representatives from Susquehanna Micro, 198 West Beaver Street, met with C.S. Davidson and the Borough Zoning Officer on December 20<sup>th</sup> to discuss their expansion plans. The plans call for the demolition of the existing residential structure that is currently attached to the facility with the construction of new offices and apartments for visiting employees in its place. Zoning relief is required for total lot coverage and a special exception is required to permit the apartments. The Borough Planning Commission recommended approval at their February 5, 2024 meeting. The Zoning Hearing Board met on February 8, 2024 and also approved the expansion application. The representatives from Susquehanna Micro have requested to be placed on Council's agenda for the March meeting to request relief from the stormwater ordinance due to the lack of area remaining to do on-site stormwater management and existing subsurface soil contamination on site.

Public Works: The cinder spreader on the dump truck was repaired.

Public Comment: Kathy Wyrosdick and Porter Stevens, Michael Baker International staff, introduced themselves to Council. Michael Baker International is the consulting firm assisting Hellam Township, Hallam Borough and Wrightsville Borough with developing their first multi-municipal comprehensive plan. As the consultant, their goal is to develop an "implementable plan"; easy to read, avoids technical jargon, and is centered on identifying key priorities for the region to focus on for the next 5-10 years.

Chris Eaton, Eastern York County Emergency Management Agency (EYCEMA) Coordinator, provided Sharon with the 2024 Emergency Operations Plan (EOP) for Council's review and approval. The EOP is updated every two years. Training for emergency management has changed from recommended to required, fire department training was

changed from required to recommended according to emergency management. **Dan moved, seconded by Chip to approve the 2024 Emergency Operations Plan (EOP). Motion passed unanimously.**

Cindy DeJesus was not in attendance so therefore no discussion took place on posting a hearing impaired child sign in the 200 block of West Market Street.

Alex Spence left the meeting prior to the public comment portion therefore no discussion took place regarding the parking on North Lee Street.

Zoning Officer: In Sherry's absence, the zoning officer report was distributed prior to the meeting. There were no questions on the report. **Chip moved, seconded by Cindy to accept Sherry Myers resignation as Hallam Borough Zoning Officer, effective February 29, 2024 with regret. Motion passed unanimously.** Chip contacted Mark Deimler, Solanco Engineering, to see if they would provide zoning services to Hallam Borough in the interim. He declined because they are too busy to take on another municipality. Derek Rinaldo stated that C.S. Davidson does not market zoning services but would be willing to assist Hallam Borough with zoning services on March 1<sup>st</sup> until the position is filled. **Chip moved, seconded by Cindy to appoint C.S. Davidson as the interim zoning officer effective March 1<sup>st</sup> and terminate their services at any time without penalty. Motion passed unanimously.** The IT committee will work on an advertisement for the position of zoning officer.

Treasurer's Report: Due to Sherry's absence, the report was distributed prior to the meeting. There were no questions on the report.

Checking Account Balance.....	\$36,525.71
Receipts – Deposits + Interest.....	\$40,173.23
Transfer In.....	\$100,000.00
Void Check .....	\$0.00
To Debit .....	\$0.00
Expenditures ..... Check #8188 to Check #8211.....	\$140,338.32
Transfer to Debit.....	\$2,359.67
To War Memorial .....	\$0.00
Checking Account Balance.....	\$34,001.58

**Cindy moved, seconded by Chip to approve the Treasurer's report. Yes-Dan, Chip, Rhonda, Stephanie, Cindy and Sue. Abstained-Derek. Motion passed.**

**Cindy moved, seconded by Chip to approve the Highway Aid with a balance of \$661.71. Yes-Dan, Chip, Rhonda, Stephanie, Cindy and Sue. Abstained-Derek. Motion passed.**

Secretary Report: Sharon announced there are two Easter Egg hunts scheduled for March at Emig Park. Jake and Howie will open the public bathrooms for both events. Sharon received an email from the Susquehanna Senior Center requesting Council reconsider giving a donation as they do service Hallam Borough and the surrounding municipalities. Devon advised Council that personal donations are acceptable but advised against donating tax payer money. **Dan moved, seconded by Cindy to decline the donation request from the Susquehanna Senior Center as per the Borough Solicitor's recommendation that each individual, if they choose to donate, give a personal donation in lieu of donating tax payer monies. Motion passed unanimously.**

Sharon received a request from the Buttonwood Crossing HOA Board of Directors regarding additional signage in their neighborhood as a reminder that people must clean up after their pets. Council stated that if the HOA purchases signs, the Borough's road crew department will post them in the Charles Circle and Friendship Avenue neighborhood. The Borough Solicitor stated the HOA can hang cameras as long as they are not pointed in a manner that interferes with the reasonable expectation of privacy to others. Meredith Schreffler, an HOA Board Member, will discuss their options with the other Board members at their next meeting.

**Chip moved, seconded by Cindy to pass Resolution 2024-02, Disposition of Non-Permanent Public Records. Motion passed unanimously.**

There was some discussion regarding digitizing the maps and plans, some being historic, that are in the spare room in the second floor of the Borough office. Council recommended getting some estimates and begin to research what documents are being stored.

President Report: President Harsh set the 2024 Borough committees.

Committee Reports: There was no Emergency Services committee report. Chip gave the Media and Technology report. The first solar street light was installed at 480 Steven Drive and on the Borough maintenance building. There are some updates to the website that need to be completed. The ARPA committee submitted a report with all expenses to date. There was no Health and Sanitation report. The Wrightsville Hope Church reserved the Maple pavilion for Sunday, March 31<sup>st</sup> to have a 5:00 a.m. Easter sunrise service. Council asked Sharon to contact the Hellam Township Police Department so they are aware of the event. There was no Military report. The Regional Comprehensive Plan Steering Committee kick-off meeting is tentatively scheduled for February 29<sup>th</sup>.

Eastern York Recreation Authority: The Authority now has a new executed lease with the Eastern York School District. There was some discussion regarding what action could be taken to remove Board members from EYRA for failure to attend meetings as required. It was decided to wait until after the next Recreation Authority meeting for an update on the issue. Any change in Hallam Borough membership must be done by resolution.

Unfinished Business: No items listed on the agenda.

New Business: **Cindy moved, seconded by Chip to cancel the February 22, 2024 Council meeting. Motion passed unanimously.**

**Cindy moved, seconded by Chip to adjourn at 8:59 p.m. Motion passed unanimously.**

Secretary,  
/s/ Sharon L. Dupler