

Borough of Carlisle
53 W. South Street
Carlisle, PA 17013
P: 717-249-4422

**BOROUGH OF CARLISLE
COUNCIL MEETING MINUTES
September 9, 2021**

Deputy Mayor Schultz called the Council Meeting to order at 7:00 p.m. and led the Moment of Silence and Pledge of Allegiance.

Present at the meeting: Councilors Crampsie, Fulham-Winston, Hicks, Landis, Deputy Mayor Shultz, Stuby and Mayor Scott. Also present were: Borough Manager Armstrong, Assistant Borough Manger Snyder, Police Chief Landis, Water Resources Director Malarich, Parks & Recreation Director Crouse, Human Resource/Risk Management Manager Berrier, Fire Chief O'Donnell, Public Information Coordinator Taylor and Borough Secretary Stone.

OPPORTUNITY FOR CITIZENS AND VISITORS TO BE HEARD

Deputy Mayor Shultz spoke of recognizing September 30, 2021 as Indigenous People's Day with a proclamation. This recognition was a collaborative effort of the Truth and Reconciliation Commission and Council.

Victoria Opilo-Hamel 715 Sherwood Drive, Carlisle, Pennsylvania, thanked Council and TRC for their consideration to recognize the importance of the first founding residential Indian School. She spoke of future efforts with Parks & Recreation to designate a piece of land as "Freedom Park".

Jason Turner, 165 East High Street, Carlisle, Pennsylvania, spoke of his personal experience in working with indigenous tribes in past. He shared his passionate views on the importance of collecting and revealing the Carlisle's history of indigenous people.

CONSENT AGENDA

A. *Deputy Mayor Shultz made a motion, seconded by Councilor Fulham-Winston to approve the Consent Agenda. Council unanimously voted (7-0) to approve the Consent Agenda, which consisted of the following items:*

B. Minutes:

CDBG-CV Public Hearing 08/04/2021

TRC Meeting 08/04/2021

Workshop Minutes 08/04/2021

Council Meeting Minutes 08/12/2021

C. Approval of Bills and Investment Transactions:

Expenditures as of August 31, 2021

General Fund \$ 590,057

Water Fund \$ 147,489

Sewer Fund \$ 209,865

Stormwater Fund \$ 28,453

Solid Waste Fund \$ 124,550

Capital Projects Fund \$ 404,984

Parking Fund \$ 48,374

K-9 Fund \$ 48,507

D. Attendance Approvals:

1. Recreation Assistant Kelsey Najdek to attend the Pennsylvania Recreation and Parks Society's 2021 Leadership Development Academy from October 6-8, 2021 in State College, Pennsylvania.
2. Accounting Clerk Pam Lebo and Monique Doleman-Campbell to attend the 2021 Pennsylvania State Tax Collectors Association Conference from October 15-16, 2021 in Grantville, Pennsylvania.

E. Community Planning and Smart Growth:

1. Borough Council appointed Mr. Jared Gasiewski from Barry Issett & Associates as the Borough of Carlisle's Building Code Official (BCO) retroactive to August 10, 2021.

F. HARB:

The HARB received approval for the following item:

1. A request for a Certificate of Appropriateness by Stephanie Foti, Equity Now of 52 E. High Street to install a 3' long x 2' wide sign on the front elevation of the building, to the left of the front door. The sign will be made of Palight PVC board and installed with masonry anchors and epoxy. The sign will read: "Equity Now, Direct Mortgage Lender, Equitynow.com, 800-692-LEND.
2. Request for a Certificate of Appropriateness by Jay Rudy of 143 E. South Street to install a rail-less, 20 x 365 REC roof-mounted solar panel system, 7.300kw on the south side of the existing roof (facing E. South Street).
3. A request for a Certificate of Appropriateness by Kevin Spahr of 150 W. South Street to replace existing finial on top of the tower at 150 W. South Street with a new copper finial and roof cap.

G. Parks & Recreation:

1. Borough Council approved the 2021 Fall Recreation Fee Resolution.

H. Public Safety:

1. Borough Council approved a Special Event Applications from the Carlisle Theatre, requesting 10 reserved parking spaces, located in front of the Theatre on High Street. The reserved spaces are to be accessible the day of each event at 10:00 AM. The events are to be held on September 25, October 16, October 30, November 5, 11, 12, and 20, December 4, 2021, February 18, 2022 and June 3, 2022.

REGULAR AGENDA

TABLED, CONTINUED, AND RECURRING ITEMS

REPORTS FROM COMMITTEES

A. Budget & Finance:

1. Borough Council voted 7-0 to approve the 2022 Minimum Municipal Obligation (MMO) budgets in the amount of \$600,322 (Six hundred thousand, three hundred and twenty two dollars) to fund the police, non-uniformed employees, and 401(a) pension plans for 2022 as required by Act 205 of the Commonwealth of Pennsylvania. (Shultz/Crampsie)

B. Community Planning & Smart Growth:

1. Borough Council voted 7-0 to approve a proposed modification to the Borough of Carlisle's Community Development Block Grant (CDBG) Program Year 2014 Action plan to undertake the following activity entitled, "Rental Housing Rehabilitation Program" and fund said activity at \$36,275.51 (thirty six thousand, two hundred seventy five dollars and fifty-one cents) through the use of unexpended PY 2014 funds. (Crampsie/Stuby)
2. Borough Council voted 7-0 to approve the Borough of Carlisle's Consolidated Annual Performance and Evaluation Report (CAPER), a requirement of the Community Development Block Grant (CDBG) Program for the period covering July 1, 2020 through June 30, 2021. (Crampsie/Stuby)
3. Single Use Plastics:

Councilor Hicks recognized Owen Snyder for organizing the information that was collected from various sources. He noted Single Use Plastics is important to Council's goals and that it will impact Borough businesses and residents. Widener Law School and Dickinson College will assisted with data collection and bring a recommendation back to Council next year.

Assistant Borough Manager Snyder thanked staff members that collaborated in the collection of background information for this project. This information will be given to Dickinson College to start their detailed research on the options for single use plastic bags. Mr. Snyder highlighted the options that Dickinson College will focus their research: plastic bag ban, fee for use of plastic bags, combination of fee and ban, participation only communication and education, incentives to modify behavior, or taking no action.

Dickinson College will then provide Borough Council with their findings of the available changes to offer to the community for plastic bag usage by May of 2022.

Councilor Crampsie expressed that this is a good step in this process that will include participation of residents and business. He noted this is great in local government when flexible options are provided and we don't just have to vote yes.

Councilor Landis remarked that she is very appreciative of the professors from Dickinson and Widener colleges for their assistance on this project and providing the Borough with researched feedback.

Councilor Stuby thanked those who has put an effort and appreciates the fact that there will be a thoughtful approach and not a "one size fits all" solution.

C. ERCP:

1. Borough Council voted 7-0 to appoint Jessie Hayes as Dickinson College Student Ambassador to Borough Council. Term shall become effective immediately and shall expire May 2022. (Stuby/Shultz)

D. Public Safety:

1. Borough Council, by a roll call, voted 7-0 to adopt an ordinance amending the Code of the Borough of Carlisle, adopted by Ordinance #2032, and thereafter amended, with respect to Chapter 244, Vehicles and Traffic, to add one on-street handicap parking space at 444 North West Street. (Scott/Hicks)

2. A motion was made by Mayor Scott and second by Councilor Hicks to amending the Code of the Borough of Carlisle, with respect to Chapter 244, Vehicles and Traffic, to prohibit the parking of unhitched trailers at all times on public roads in the Borough.

Prior to a vote of Council, Councilor Landis inquired if amendments could be made to the ordinance to allow for a workweek time period for unhitched trailers of contractors to sit on the street. This would be in place of the 24 hour time period listed in the ordinance. Councilor Hicks recommended keeping the 24-hour period as a default and granting permission to the contractors on an as needed basis for an active work site.

Discussion ensued concerning that the premise for the ordinance amendment was brought to Council's attention to address a particular concern of unhitched trailers sitting on the street. Councilor Fulham-Winston suggested the amendment should include the statement "active work site" for current construction jobs. Councilor Landis explained that there should not be any sort of fee involved but this seems to be a hard and fast rule and could be seen as a burden to the contractors. There was consensus among Council to amend this ordinance and re-advertise for the October Workshop meeting. Deputy Mayor Shultz noted that persons will use this flexibility to their advantage and we need to be mindful of a balance. He also suggested that a permitting process should not be created. Councilor Landis conveyed that she did not want this ordinance to hinder the work of contractors and inquired if there have been specific concerns noted with contractors leaving unhitched trailers on the street.

Borough Manager Armstrong noted that once the ordinance is enacted, staff can report back to Council with any issues that occur. She also asked for clarification in regard the week time period, and if the contractors will need to comply with the residential parking enforcement restrictions. There was consensus among Council that the contractors must comply with residential parking enforcement restrictions.

Councilor Hicks withdrew his motion to second the original motion to the ordinance amendment.

Mayor Scott made a motion and a second by Councilor Hicks to table item D2 under the Public Safety agenda until the October Workshop meeting. Council voted 7-0 to table item D2.

Borough Council voted 7-0 to authorize the draft and advertise of an amendment to the propose ordinance amending the Code of the Borough of Carlisle, with respect to Chapter 244, Vehicles and Traffic, to prohibit the parking of unhitched trailers at all times on public roads in the Borough in accordance with previous discussion. (Scott/Hicks)

3. Borough Council may approve the installation of one on-street handicap parking space at 430 Fairground Avenue due to site constraints created by the Carlisle Connectivity Project. No resident fee shall be incurred.
4. Decriminalization of Cannabis Ordinance:

Mayor Scott explained that Council adopted an ordinance in December 2020 that called for the decriminalization of a small amount of marijuana and the possession of marijuana paraphernalia. This was a pilot program to assess the social and economic benefits that could be gained. The pilot program will expire in December of 2021 and Council will begin discussion about reauthorizing the ordinance. Councilor Stuby noted the ordinance contains a reporting provision of the police department that would continue if Council chooses to extend the ordinance. He remarked that based on the past year he would like to see the ordinance continue but discontinue the monthly reporting requirements.

Councilor Stuby proposed amending the ordinance as it is now to remove the reporting requirements and remove the expiration requirements in §110-8 and §110-9 of the Borough Code.

Deputy Mayor Schultz recommended that we no longer refer to this as the "decriminalization of cannabis". He noted there are persons who thought the Borough decriminalized the use of cannabis in public settings and were observed smoking and in possession of marijuana because they thought it was now legal. He noted his concern that the terminology sends the wrong message. The Borough has created another level of crime that is a summary offense, which allows the Police Department to use their discretion in issuing a summary offense. This was initiated because of the disparate impact that a misdemeanor has among people of color. Given the situations that were encountered, he noted smoking of any tobacco in public parks is prohibited and we want to continue to offer that discretion to police officers to cite offenders. Deputy Mayor Shultz noted the ordinance statistically did not have a negative impact other than a ten dollar fine.

Discussion ensued regarding the use of the word "decriminalizing" and there was consensus among Council to continue the enactment of the ordinance. Councilor Fulham-Winston suggested removing the word decriminalized and change to "the penalties for the possession of a small amount of marijuana". Deputy Mayor noted there is time to work out the terminology between now and the December timeline. Councilor Hicks suggested continuing the collection of data requirements in the ordinance. He felt that it is important to continue to keep track of items in §180-8 to gauge the impact of how we are issuing these across gender and race and recommended keeping the reporting requirement at least for the next few years.

Mayor Scott directed staff to prepare an amendment to the Cannabis Ordinance for Council to discuss at the October workshop.

E. Public Works:

1. Borough Council voted 7-0 to approve the purchase of three Rotork Model IQ-35 Electric Valve Actuators for the Wastewater Treatment Plant from Edwin Elliot & Company of Lafayette Hill, PA for a not to exceed cost of \$31,554.00 (Thirty-one thousand, five hundred fifty-four dollars) through the Commonwealth of Pennsylvania's Cooperative Purchasing (COSTARS) program. (Fulham-Winston/Landis)
2. Borough Council voted 7-0 to award the unit price contract for the Sanitary Sewer System Rehabilitation Project, Contract PS1-3, Pump Station No. 1 Interceptor Sewer Lining and Manhole Repair, to the lowest responsive bidder, Insight Pipe Contracting, LLC of Harmony, Pennsylvania, in the amount of \$181,985.00 (One hundred eighty-one thousand, nine hundred eighty-five dollars and zero cents), pending receipt of the required bonds and insurances for the project. (Fulham-Winston/Landis)

Borough Council voted 7-0 to authorize any contract change order needing prompt action in an amount not to exceed \$10,000 (Ten thousand dollars) each, to be approved at the discretion of the Borough Manager and brought before Council for retroactive approval. (Fulham-Winston/Landis)

3. Borough Council voted 7-0 to ratify the Mayor's August 23, 2021 execution of a temporary construction easement and right-of-way agreement on 380 Wilson Street to repair a sinkhole that is partially located in the public right-of-way and partially on private property. (Fulham-Winston/Landis)

4. Borough Council voted 7-0 to authorize the release of the financial security posted by the Alliance Home of Carlisle, PA d/b/a Chapel Pointe at Carlisle for its Land Development Plan for Pointe Place – Community Center in the amount of \$24,077 (Twenty-four thousand, seventy-seven dollars). (Fulham-Winston/Landis)
5. Borough Council voted 7-0 to approve a Cooperation Agreement by and among the South Middleton Township Municipal Authority and Carlisle Borough Sewer System Authority outlining each party's obligations to advance the development of Cambria Place, South Middleton Township that results in reallocation to South Middleton Township's connection points 2F and 2G that shall furthermore necessitate certain improvements to Carlisle's Pump Station No. 2. (Fulham-Winston/Landis)

NEW BUSINESS

No new business was heard.

REPORTS FROM COUNCIL MEMBERS & STAFF

Councilor Fulham-Winston extended her thanks to the Public Works Department staff for their extraordinary, great efforts in keeping the Borough safe and the drinking water good during the recent rainstorms in the Borough.

Councilor Crampsie also thanked the Public Works Department staff for their efforts during the rainstorm. He reflected on the pandemic over the past year and how it seemed to be ending this past summer. Councilor Crampsie remarked that it seems like we are still not there and to be a good neighbor by getting vaccinated.

Deputy Mayor Shultz commented that in an earlier meeting it was discussed that Dough & Arrows received CDBG grant money. He remarked that it is exciting to see this business and that staff and council members attended their grand opening. Deputy Mayor Shultz noted that Shentel is moving forward with their fiber optics installation in the Borough. He noted the Annual Structural Burn Refresher event on October 15, 2021 in York.

Councilor Hicks spoke of the great job provided by Public Works during the recent rainstorm. He commented on the how the assumption models for storm prediction used to build what we could handle today are based on faulty models and will probably become less predictable. Councilor Hicks reiterated supporting our climate mitigation measures is pretty clear and that what we can decide to invest in today will avoid tremendous cost in the future. He thinks it is undeniable that we can expect some real tests and stresses on even our well-run sewer and water systems and to keep in mind the system that was built will need to be flexed in the next few years. Councilor Hicks reported that the state approved a program that will help with our climate mitigation goals. This ruling will support putting a price on carbon. He noted that forty percent of revenues from RGI funds that come from carbon emitting generation sources are targeted for resiliency of low and medium income communities of which we are designated. As the Borough moves forward with its climate goals, this will be another potential source to help.

Mayor Scott recognized that Councilor Hicks was the star of the show at a recent meeting.

Borough Manager Armstrong thanked Council for recognizing the Wastewater Treatment staff for stepping up and working 24/7 during the recent rainstorm to ensure that we would continue to be able to treat the water coming in and deliver services. She also noted the Public Works Water Resources teams pulled together to keep the intersections open and monitored throughout the rain event. Borough Manager Armstrong applauded the leadership of Mark Malarich, Corey Flythe and Jeff Shearer for seeing that these services occurred. She noted at future Workshop meetings employees will attend the meeting

to tell their stories and we will recognize our public servants for the accomplishments that they have achieved.

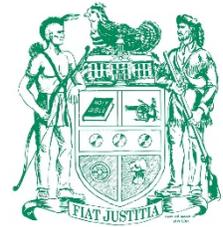
ADJOURNMENT

There being no further business or public comment, the meeting adjourned at 8:10 p.m.

Timothy A. Scott, Mayor

Joyce E. Stone, Borough Secretary

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**BOROUGH OF CARLISLE
PUBLIC HEARING MINUTES
Community Development Block Grant
September 9, 2021**

Call to Order: Mayor Scott called the Public Hearing to order at 6:45 p.m.

Present at the meeting: Councilors Fulham-Winston, Hicks, Landis, Deputy Mayor Shultz, Stuby and Mayor Scott. Also present were: Borough Manager Armstrong, Assistant Borough Manager Snyder, Police Chief Landis, Parks & Recreation Director Crouse, Human Resource/Risk Management Manager Berrier, Fire Chief O'Donnell, Solicitor Brennehan, Public Information Coordinator Taylor and Borough Secretary Stone.

Public Hearing: CDBG Reprogramming

The Carlisle Borough Council held a public hearing for the purpose of a proposed modification to the Borough of Carlisle's Community Development Block Grant (CDBG) Program Year 2014 Action Plan to undertake the following activity entitled, "Rental Housing Rehabilitation Program" and fund said activity at \$36,275.51 (thirty six thousand two hundred seventy five thousand dollars and fifty-one cents) through the use of unexpended PY 2014 funds.

Present at the meeting was Mr. Chris Rafferty, Community Development Director with the Cumberland County Redevelopment Housing Authority (CCRHA), 114 North Hanover Street, Carlisle, Pennsylvania. Mr. Rafferty explained the purpose of the hearing is for a proposed modification to the CDBG 2014 Annual Action Plan. The modification will supplement funding for the rental housing program that was originally funded in 2019 in the amount of fifty thousand dollars. Mr. Rafferty stated the notification of the proposed change will be sent to HUD to create the activity. Once the Borough takes action on the rental housing ordinance, CCRHA will oversee the requests from owners of residential rental properties in the Borough of Carlisle to assist with rehabilitation and address code violations. The property owners must agree to keep the property affordable for low to moderate income renters for a period of seven years.

Public Comment

No public comments were received.

Adjournment of Public Hearing

The meeting was adjourned at 6:47 p.m.

Timothy A. Scott, Mayor

Joyce E. Stone
Borough Secretary

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**BOROUGH OF CARLISLE
PUBLIC HEARING MINUTES
Consolidated Annual Performance and Evaluation Report (CAPER)
September 9, 2021**

Mayor Scott called the Public Hearing to order at 6:50 p.m.

Present at the meeting: Councilors Crampsie, Fulham-Winston, Hicks, Landis, Deputy Mayor Shultz, Stuby and Mayor Scott. Also present were: Borough Manager Armstrong, Assistant Borough Manager Snyder, Police Chief Landis, Water Resources Director Malarich, Parks & Recreation Director Crouse, Human Resource/Risk Management Manager Berrier, Fire Chief O'Donnell, Public Information Coordinator Taylor and Borough Secretary Stone.

Public Hearing:

The Carlisle Borough Council held a public hearing for the purpose of receiving public comment on the Borough of Carlisle's Consolidated Annual Performance and Evaluation Report (CAPER), a requirement of the Community Development Block Grant (CDBG) Program for the period covering July 1, 2020 through June 30, 2021.

Present at the meeting was Mr. Chris Rafferty, Community Development Director with the Cumberland County Redevelopment Housing Authority (CCRHA), 114 North Hanover Street, Carlisle, Pennsylvania. Mr. Rafferty explained it is required that the CAPER is to be submitted to HUD by every entitlement community that receives CDBG funds across the nation. The program year ended on June 30, 2021 and submission of the CAPER is to be sent to HUD within 90 days for review and approval.

Mr. Rafferty provided the following 2020 expenditure details for the Borough of Carlisle:

Requirements that are set by HUD for expending CDBG funds.

- ✓ The Borough is required to expend at least seventy percent of its funds on low/moderate benefit activities. The Borough reached that requirement by spending over eighty percent of its funds.
- ✓ The Borough has a fifteen percent cap on public service expenditures. The Borough expended 11.08 percent.
- ✓ The Borough has a cap of twenty percent on program administration or planning activities. The Borough expended thirteen percent.

Highlighted expenditure that met the requirements in 2020.

- ✓ \$53,000 on owner-occupied rehab for three households
- ✓ \$51,000 on code enforcement, over 625 staff inspections
- ✓ \$50,000 for an Economic Development Shopstealing Loan, which requires creating two new full-time jobs.
- ✓ \$58,387 spent on three (3) public works projects – LeTort Park LED lighting; North Pitt Street stormwater project; and, Hope Station building.
- ✓ Over the course of 2020 the Borough expended \$341,000 in CDBG funds.

Councilor Hicks inquired if the requirement of maintaining the jobs is contingent for the duration of the loan. Mr. Rafferty responded this is the requirement of the loan and the business must report the job performance annually to the CCRHA.

Public Comment

No public comments were received.

Adjournment of Public Hearing

The meeting was adjourned at 6:55 p.m.

Timothy A. Scott, Mayor

Joyce E. Stone, Borough Secretary