

Borough of Carlisle
Workshop Meeting Minutes
February 5, 2020

Present at the meeting: Councilors Crampsie, Fulham-Winston, Hicks, Landis, Deputy Mayor Shultz, Mayor Scott and Stuby. Also present were: Borough Manager Armstrong, Water Resources Director Malarich, Community Development Manager Skelly, Parks & Recreation Director Crouse, Public Information Coordinator Taylor, Solicitor Brenneman, Dickinson Student Ambassador Smith, Dickinson Law Student Ambassador Speer and Borough Secretary Stone.

I. Call to Order & Pledge of Allegiance

Mayor Scott called the Workshop Meeting to order at 6:00 p.m.

II. Public Comment:

There were no public comments.

III. Meeting Minutes:

A. Borough Council unanimously approved the December 4, 2019 Workshop Meeting Minutes.

IV. Mayor's Report:

- A. Councilor Crampsie provided information on Act 77 that the state initiated in 2019 that would permit satellite elections offices for early voting. He suggested that Council send a letter to County Commissioner asking them to explore the options for satellite offices. There was consensus among Council to send a letter to the County Commissioners.
- B. Councilor Stuby presented a resolution honoring Black History Month. Mayor Scott requested that the resolution be presented at the February 29, 2020, Hope Station's Black Cultural Festival event.

Borough Council voted 7-0 approved a resolution recognizing the month of February 2020 as "Black History Month" in the Borough of Carlisle and to share the resolution with Hope Station at the annual Black Cultural Festival. (Stuby/Shultz)

V. Community Planning/Smart Growth Committee:

A. Rental Ordinance:

Borough Manager Armstrong provided the following updates:

- Incorporated definition of in-house superintendent
- Proprietary information may be redacted from tenant/landlord/property management company contract form
- Temporary removal of a license from the property will not be a violation
- Property owners who provide HUD housing will be exempt from inspection.

Solicitor Brenneman provided his recommendation only to allow inspection exemptions in the ordinance to those landlords that in fact live in the property being rented. He stated that legally he found it difficult to allow inspection exemptions to landlords living in the borough.

Mr. Rick Line, 381 Criswell Drive, Boiling Springs, Pennsylvania, stated that he has had rentals in Carlisle for twenty years and is opposed to the license and inspection fees. He noted that the fees should be for everyone or no one. Mr. Line did agree with inspection exemptions for property managers and HUD housing.

Mr. Joe Nunez, 7 Wellington Court, Carlisle, Pennsylvania disagreed with Borough residents not being exempt from inspections, as well as owners that live in rental building. He explained that borough residents pay borough taxes and are known in the community, which creates accountability. Mr. Nunez spoke of a borough business owner that has four rental properties and lives in the Borough of Carlisle. He explained that this person invests himself in the community, his tenants, and rental properties. Mr. Nunez finds it disgusting that there are negative views of all property owners and that the Borough should only be focused on the small number of bad landlords in the borough.

Mr. David Lanza, 2132 Market Street, Camp Hill, Pennsylvania representing CARPOA, spoke of how the inspection costs will cause rents to be raised for owners of thirty or more units. He provided a total cost of \$2,200 for inspection and \$3,700 for inspections for these units and noted that this will contribute to pricing people out of the market. Mr. Lanza suggested that exemptions of owners that live in the Borough not be eliminated, but rather expanded to a larger geographic area. He spoke of a rental ordinance in another town that failed and he offered to work with the Borough on an ordinance that would be successful. Mr. Lanza stated that Pottstown was recently were challenged in court regarding the privacy of the tenants' rights to not allow inspections and litigation continues in county court.

Mr. Rick Fleck, 33 & 35 North Hanover Street, Carlisle, Pennsylvania noted he and his wife run a business out of a building that also has rental units. Mr. Fleck stated that they are attentive to the repair needs of their properties. He does not feel that just because a landlord lives in the rental building, the building will be better cared for and that they should not be exempt. Asked Council to think about how being a landlord is a risk and that he does not make money on his rentals. Mr. Fleck noted that the licensing fee for Camp Hill Borough is only \$25.00 and has no inspections and Mechanicsburg Borough only charges an inspection fee of \$50.00 per unit with no licensing fee. He noted that with the increases in water rates and storm water the rental fees will increase and make it difficult for the residents of Carlisle to afford housing.

Mr. Christian Bors, 9 White Oak Boulevard, Mechanicsburg, Pennsylvania, noted that there are enough codes in the books to enforce problem landlords. He spoke of several flaws in the rental ordinance such as increasing fees does not increase living standards, penalizes good landlords, difficulty coordinating inspections, and the need for incentives for landlords to pass inspections.

Mr. Chris Wyman, Ridge Street, Carlisle, Pennsylvania spoke of conservatorship that is used for blighted properties. Solicitor Brenneman stated this tool is used by state law to address extreme blighted properties and is not an option for the Borough.

Borough Manager Armstrong asked Council for direction regarding the requirement for landlords to qualify for exemptions. Discussion ensued and there was a consensus that language be added to §193-17B(3) of the rental ordinance to state that landlords and property managers who pass an initial inspection will then be exempt from inspections for five years. The exemption will be for landlords that live in the building, as well as landlords and property management companies that live within a 25-mile radius of the Borough. The Solicitor recommended modifying the registration form to include a requirement for a physical address of the property owner or management company be listed on the document.

There was consensus among Council to move forward with drafting and advertising a rental ordinance with amendments.

B. 5G – Wireless Telecommunication Facilities Ordinance Review:

Council voted 7-0 to approve entering into a professional services contract with Cohen Law Group (CLG) at a cost not to exceed \$4,000 (four thousand dollars) to review, recommend, and provide draft revisions as outlined in the December 18, 2019 proposal with respect to the following:

- a. Zoning Ordinance, with respect to 5G – Wireless Telecommunication Facilities; and,
- b. Verizon Master License Agreement for facilities within the public right-of-way.
(Crampsie/Stuby)

VI. Public Works Committee:

A. Trash & Recycling:

Mark Malarich noted that the Borough is in the sixth week of the solid waste contract and the fourth week of collections of the new orange trash bag.

Admin Secretary Lucretia Hefflefinger provided an update on the current status of trash and recycling collection.

- A count of green trash bags placed on the sidewalk by residents during the implementation of orange bags.
 - Week 1 – 725 green bags
 - Week 2 – 91 green bags, staff placed notices on residents doors, 42 letter notices were sent out
 - To date, six citations were sent out. A citation cost is \$125.00 for a property owner.
- Present concerns are overweight orange bags and fake bags bought on line.
- Waste Connection approaches the routes differently than Advanced Disposal did. This has caused some residents to miss pick-up because they put their trash out after the hauler had been through. The Borough always tells residents to place trash out night before to ensure pick-up.
- Positive feedback on the quietness of new hauler
- The trash hauler will deliver wheeled toter recycling containers with a notice offering a smaller bin container with a lid as an alternate option.
- Resident can purchase a second large toter for \$65.00.

Chris Wyman questioned the validity of the waste hauler’s scales used to weigh garbage bags. Councilors remarked that the haulers are governed by Weights and Measures through the state.

B. Carlisle Connectivity Project: Mark Malarich provided the following update:

TIGER Project

- Project will begin with the replacement of the Borough water main at B Street, Fairground Avenue and College Street.
- Preconstruction letters will be sent to property owners in that area to request permission to survey foundations for present damage, followed up by a post construction survey.
- The water line project may begin in late February and continue for 21 months
- There will be public outreach, including press releases, information on website and evening meetings with adjacent property residents on B Street and Fairground Avenue.

Factory and Carlisle Spring Road Project

- The highway occupancy permit has been received
- The utility clearances have secured necessary permits
- Construction period will begin in late February or March and continue for 21 months.

C. C Street Dedication:

Borough Council, by a roll call vote of 7-0, adopted an ordinance accepting dedication of a portion of C Street located between North College Street and Factory Street. (Fulham-Winston/Landis)

D. Exel Stormwater Diversion Project:

Borough Council voted 7-0 to approve the purchase of the materials and rental of equipment needed by Borough staff to complete the Exel Warehouse Development Stormwater Diversion Project for a cost not to exceed \$60,000 (sixty thousand dollars). (Fulham-Winston/Landis)

E. 2020 Sanitary Sewer Rehabilitation Project, Engineering Contracts:

Borough Council voted 7-0 to enter into Engineering Contracts with Herbert, Roland and Grubic, Inc. (HRG) to assist the Borough with its 2020 Sewer System Rehabilitation Program, in the total amount of \$96,300 (ninety-six thousand three hundred dollars) subject to the Borough Solicitor's review and approval. (Fulham-Winston/Landis)

Mark Malarich noted this a 15 year improvement plan. The areas that will be worked on in 2020 will be Ashburn Drive, Waggoneers Gap Pumping Station, Pump Station #2, and Gobin Drive.

F. 2020 Sanitary Sewer Rehabilitation Project, Easements/Rights of Entry Agreements:

Borough Council voted of 7-0 to authorize the Borough Solicitor to draft and advertise an ordinance providing for the execution of sewer easement and right-of-entry agreements with the owners of property on which the Borough has sanitary sewer facilities requiring repairs as part of the 2020 Sanitary Sewer System Rehabilitation Project. (Fulham-Winston/Landis)

G. South Spring Garden Street Sanitary Sewer Rehabilitation Project, Change Order:

Borough Council voted of 7-0 to approve Compensating Change Order No.1 to adjust the estimated quantities included in the contract bid to equal the actual quantity of work completed on the South Spring Garden Street Sewer Replacement Project, decreasing the total contract price by \$10,762.22 (ten thousand seven hundred sixty-two dollars and twenty-two cents). (Fulham-Winston/Landis)

H. Traffic Signal Upgrade Project, Pitt & High Street Mast Arms Procurement:

Borough Council voted of 7-0 to approve the purchase of mast arms needed for the Pitt and High Street Traffic Signal Upgrade Project from Signal Service, Inc. for \$38,963.00 (thirty-eight thousand nine-hundred sixty-three dollars) through the Commonwealth of Pennsylvania's Cooperative Purchasing Program (COSTARS). (Fulham-Winston/Landis)

I. Borough Vehicle and Equipment Procurement:

Borough Council voted of 7-0 to approve the purchase of vehicles and equipment through the Commonwealth of Pennsylvania's Cooperative Purchasing Program (COSTARS) as outlined and

submitted as Exhibit A by staff and incorporated into the Fiscal Year 2020 Budget. (Fulham-Winston/Landis)

Borough Manager Armstrong noted the Water Resource and Public Field Operations employees would collaborate on the Exel Stormwater Diversion project. She advised that if an outside contractor were utilized, the cost of this project would have been double. Ms. Armstrong commended the supervisors for pulling together the departments for the good of the Borough.

VII. Parks & Recreation Committee:

A. Pump Track Memorandum of Understanding:

Parks and Recreation Director Crouse advised Council that the Solicitor was preparing a contract with the Cumberland Youth Cycling Development (CYCD) for the installation of Pump Track. She noted the CYCD has secured a \$60,000 grant from CAEDC and is seeking grant monies from DCNR, and the County. Once the contract is approved CYCD would be able to proceed with obtaining these grants. The contract will be brought to the Council at the March council meeting.

VIII. Public Safety Committee:

A. Police Department, K-9 Procurement Status:

Police Chief Landis advised the police department is in the process of looking for a new K9 to replace Pedro. He stated the hope is to have a self-sustaining two-dog K-9 operation. This expansion in the program would allow for additional security measures due to the changing of the times.

Corporal Kurtz noted the training program for a new dog would be an initial five to six weeks, with a continued training program and up to a year for bonding.

B. Special Event/Street Closure Request, IceArt 2020:

Borough Council voted 7-0 to authorize the closure of South Courthouse from W. High Street to W. Church Avenue (next to Abom & Kutulakis) and Pomfret Street from S. Hanover to the Pomfret Street Parking Garage on February 7, 2020 at 8:00 a.m. to February 9, 2020 at 6:00 p.m. and furthermore, restrict parking on East Liberty from S. Hanover to Market House Avenue (south side only by Denim Coffee) and W. Liberty Avenue from Church to S. Hanover (next to the Gingerbread Man). (Scott/Crampsie)

Employee Relations/Citizen Participation:

A. Zoning Hearing Board Appointment:

Borough Council voted 7-0 to adopt a resolution appointing Ms. Robin Guido to a partial term as a member of the Carlisle Borough Zoning Hearing Board. The partial term will become effective immediately and shall expire December 31, 2022. (Stuby/Shultz)

ADJOURNMENT

Mayor Scott announce that Council will hold an executive session to discuss personnel and potential litigation.

There being no further business or public comment, the meeting adjourned at 8:16 p.m.

Timothy A. Scott
Mayor

Joyce E. Stone
Borough Secretary