

WRIGHTSVILLE

YORK COUNTY, PENNSYLVANIA

WRIGHTSVILLE BOROUGH COUNCIL
REGULAR MEETING

MONDAY, SEPTEMBER 13, 2021

Borough Chambers
601 Water Street
Wrightsville, PA

In attendance: Council President White, Vice President Smith, Councilman Bair, Councilman Gromling, Councilman McDonald, Mayor Albert, Treasurer Brenner, Solicitor Nahass, Engineer Klinedinst, Secretary Hoff

Absent: Councilman Kirkessner

Council President White called the Regular Meeting of the Wrightsville Borough governing body to order at 6:34pm and led the salute to the American Flag.

Council President White announced at the beginning of the meeting that changes are being made to public comment periods during the meeting. President White announced that going forward there will be 2 public comment periods noting that the first public comment period will be for agenda action items and the second public comment period will be for general comments. President White relayed to those in attendance that he spoke with council members in Columbia Borough and they also have general public comment at the end of their meetings. President White also announced at the beginning of the meeting that the meeting agenda was being amended to add an action item, Change Order #5, which will be presented by the Borough Engineer later in the meeting pending an approved motion is made by council. VP Smith made a motion to amend the agenda to add action item which will be presented by engineer later in the meeting. Councilman McDonald seconded the motion. All in favor. Motion carried with a unanimous vote.

VP Smith relayed to members of council that an initial motion was made at a previous meeting to modify the agenda to only include changing the first responders to the beginning of the meeting allowing them to present their report to council and then be able to leave upon completion. VP Smith noted that the motion did not include modifying the agenda to include two public comment periods.

VP Smith relayed to members of council that he is uncomfortable with moving the general public comment section to the end of the meeting noting that it may deter public patrons from coming to the meeting especially if they know that they have to wait until the end of the meeting to address council and how are the residents to know what is determined to be a general comment or a comment about an action agenda item. Council President White stated "if it doesn't work this way, we can change it but he is trying to get things fixed, so let's fix it." Councilman Bair stated "let's try something new." Councilman McDonald asked President White why was this not an entire council decision instead of something that you only discussed

with Solicitor Nahass. President White didn't reply. Solicitor Nahass stated that the Council President presides over the meeting and can set agenda format in compliance with the Sunshine Law and applicable laws.

VP Smith made a motion to amend the meeting agenda to allow first responders to present their reports prior to the public comment period and not make any further changes to agenda. VP Smith asked for a roll call vote on amending meeting agenda. VP Smith would like the public comment section to remain the same with public comment period being held after first responder reports.

A roll call vote was taken to amend the meeting agenda to allow first responders to present their reports prior to public comment period. Roll call vote was taken:

President White: no

VP Smith: yes

Councilman McDonald: yes

Councilman Gromling: no

Councilman Bair: no

Councilman Kirkessner: absent

After the roll call vote was taken, the amendment to the agenda was rejected. Vote, 3-2.

DEPARTMENTAL REPORTS:

Fire:

Report was provided with monthly meeting materials. Chief Livelsberger relayed report highlights to this in attendance. Chief relayed that the department was busy in August responding to 75 calls. Chief Livelsberger thanked members of Burning Bridge Tavern and Borough Council for their assistance in helping to coordinate festivities held after golf tournament noting that their annual golf event is the biggest fundraiser for the department.

Police:

Report was provided with monthly meeting materials. Chief Pollock relayed report highlights to those in attendance. Chief Pollock relayed that the department responded to 125 calls within Wrightsville Borough in August.

Emergency Management Coordinator:

Report was provided with monthly meeting materials.

Ambulance:

Report was provided with monthly meeting materials.

Zoning:

Report was provided with meeting materials.

Streets & Parks:

Report was provided with monthly meeting materials. Councilman Gromling relayed to those in attendance that new Ford 550 chassis should be at local dealer within a few weeks and payment will be needed before vehicle can be sent to MJR Equipment for add-ons to be upfitted onto chassis with an estimated completion time to be 2 to 3 months.

Engineer:

Report was provided with the monthly meeting materials. Engineer Klinedinst relayed the report highlights to those in attendance. Engineer Klinedinst informed members of council all MS4 municipalities must update their Stormwater Ordinances with a compliant ordinance by June 30, 2022. Engineer Klinedinst noted that CSD has prepared a compliant model ordinance for their clients which would just need client input. Engineer Klinedinst estimated the cost to prepare ordinance would total \$1,000 and asks for council to make a motion to authorize Engineer, Solicitor, and staff to prepare a new Ordinance.

Council President White asked public patrons if there were any questions about the request from Engineer prior to motion being made. No questions were asked. VP Smith made a motion to authorize CSD to prepare a new Ordinance for council to review. Councilman Bair seconded the motion. All in favor. The motion carried with a unanimous vote.

Treasurer:

Report was provided with the monthly meeting materials. Treasurer Brenner relayed highlights of the report to those in attendance. Treasurer Brenner relayed to members of council that 2022 health care costs for employees of borough was received with an estimated cost to increase 8% from last year. Treasurer Brenner also relayed that the insurance package will increase 2% with an annual amount totaling \$84,542 noting this is a shared cost with the municipal authority. Treasurer Brenner advised council that the 2022 MMO totals \$0, however he wanted to inform council and asks for a motion to approve MMO during the action item section of the meeting agenda.

Mayor:

Mayor Albert relayed to members of council that he will be meeting with Chief Pollock to discuss preliminary budget costs for Wrightsville Borough for 2022 public safety costs. Treasurer Brenner asked Mayor Albert to share those financial expenses with him along with VP Smith.

Solicitor:

Solicitor Nahass relayed to members of council that an extremely brief PLCB noise exemption hearing was held and he is awaiting a reply from the PLCB on their findings.

Solicitor Nahass relayed to members that changes have been made to the Sunshine Law noting the following changes:

The Sunshine Act was amended by Act 65 of 2021 providing new requirements for publishing and posting public meeting agendas and new restrictions on when public bodies may vote on at meetings on matters not listed in the published agenda. These Amendments to the Sunshine Act are effective August 29, 2021.

Act 65 of 2021 is as follows:

The agenda is required to contain a listing of each matter of agency business that will be or may be the subject of or deliberation of or official action at the meeting. All government agencies, including but not limited to Counties, Townships, Boroughs, and Authorities, that have a publicly accessible website are required to post meeting agendas on their websites within 24 hours of the meeting. These public meetings would also include local planning commission meetings and all township workshops and committee meetings. In addition to posting the agenda on the local agency's website, the agenda shall be physically posted at the agency's principal office/municipal office and the physical location of the meeting. Copies of the agenda shall be available for attendees of the meetings.

Matters under which an agency may take official action if not on the agency's agenda:

- ◆ *To address a real or potential "emergency" that involves "a clear and present danger to life or property."*
- ◆ *To address a matter of agency business that only arose or was brought to the agency's attention within 24 hours of the meeting.*
- ◆ *To address a "de minimus" matter that does not involve the expenditure of funds or entering into a contract or agreement.*
- ◆ *To direct the Manager to research a matter raised during the meeting by a resident or Taxpayer (if de"minimus", the Board or Council may take action on the matter at that meeting)*
- ◆ *A majority of Board or Council members present at the meeting may vote to add an item to the agenda, and then vote on the added item. In such circumstances,*
 - 1) *The reason for the change to the agenda must be announced publicly at the meeting before Conducting a vote to change the agenda,*
 - 2) *The modified agenda must be published on the agency's website and posted at the agency's offices by the first business day following the meeting, and*
 - 3) *The meeting minutes must reflect the added agenda item, the vote to modify the agenda, and the announced reason for the change.*

PUBLIC COMMENT- AGENDA ACTION ITEMS

PATRONS:

Nicholas L. Shearer, Director, Hamilton & Musser, PC:

Mr. Shearer presented to Council and patrons in attendance the 2020 Wrightsville Borough Audit Report. Mr. Shearer covered the complete DCED report to council. After his presentation, Mr. Shearer asked if anyone had any questions. No questions followed.

Treasurer Brenner thanked Nicholas and his colleagues for their professionalism throughout the audit process.

Roy Blymire:

Mr. Blymire expressed his dislike to moving the general public comment section to the end of the meeting to members of council noting that residents should be able to address council at the beginning of the meeting and shouldn't have to wait until the end of the meeting and asked how residents are to know what is public comment on agenda items or general public comment?

Mel McDonald:

Mrs. McDonald stated that moving the general public comment section to the end of the meeting is ridiculous and all public comment should be at the beginning of the meeting noting that people have to go to work and should not have to sit through the entire meeting just to speak to council.

ACTION ITEMS:

Vice President Smith made a motion to approve the 2020 Financial Report/Audit presented by Hamilton & Musser, PC. Councilman Bair seconded the motion. All in favor. The motion carried a unanimous vote.

Vice President Smith made a motion to approve the August 2021 check register as presented by the treasurer. Councilman Bair seconded the motion. All in favor. The motion carried a unanimous vote.

Vice President Smith made a motion to approve the August 2021 financial report as presented by the treasurer. Councilman Bair seconded the motion. All in favor. The motion carried a unanimous vote.

Councilman Bair made a motion to approve the 2022 MMO (Minimum Municipal Obligation) totaling \$0 as presented by the treasurer. VP Smith seconded the motion. All in favor. The motion carried with a unanimous vote.

Vice President Smith made a motion to approve Change Order #5 to the Green Infrastructure Project Contract #1 to add a level spreader and spillway in the amount of \$9,100. Councilman McDonald seconded the motion. All in favor. The motion carried with a unanimous vote. Action item was an added item and a amendment was made to agenda prior to the start of the meeting.

Vice President Smith made a motion to approve the 2022 SPCA of York County Municipality Agreement. Councilman Bair seconded the motion. Councilman Gromling was opposed to the motion. Motion passed, 4-1 vote.

A brief discussion on the Columbia-Wrightsville Bridge Project Rehabilitation Project was held with council not being in favor of entire project to place bike facility pavement markings along the Veterans Memorial Bridge. The project would be a joint involvement between West Hempfield Township, Wrightsville and Columbia Boroughs in which all municipalities must agree upon. Councilman Gromling that the cost for Wrightsville Borough would be \$12,735 and a continued maintenance cost every 3 to 5 years. Council President White called for a motion to proceed with project, however, no motion was made and no formal action was taken following the brief discussion.

MEETING MINUTES:

Vice President Smith made a motion to approve the August 2, 2021 Regular Meeting Minutes pending corrections are made. Councilman McDonald seconded the motion. All in favor. The motion carried with a unanimous vote.

Vice President Smith made a contingent motion to approve the August 16, 2021 Planning Meeting Minutes. Councilman McDonald seconded the motion. All in favor. The motion carried with a unanimous vote.

COMMITTEE REPORTS:

ADMINISTRATION & FINANCE:

Vice President Smith relayed to members of council preliminary budget discussions are ongoing with Keith and asks all budget requests be provided to Keith or himself prior to the October council meeting.

PUBLIC WORKS:

No report

PUBLIC SAFETY:

No report

COMMUNITY & ECONOMIC DEVELOPMENT:

No report

PARKS & RECREATION:

No report

PERSONNEL:

No report

COMPLAINT COMMITTEE:

No report

PUBLIC COMMENT – GENERAL BUSINESS

Roy Blymire:

Mr. Blymire asked members of council what is being done about the question he asked council 4 months ago concerning the property located on Lemon St. and driveway being on borough property. Mr. Blymire asked council “who is responsible for an accident on borough property if the driveway is overshot?” Council had no response to Mr. Blymire’s question.

VP Smith apologized to Mr. Blymire for the delay and stated that he will work with Council President White to draft a letter for Eric to sign to be mailed to owner to inform owner of a possible property violation. Mr. Blymire noted as he did previously in the meeting that general public comment should be at the beginning of the meeting.

Councilman Bair excused himself from the meeting before Mrs. McDonald spoke

Mel McDonald:

Mrs. McDonald asked council “why is public comment being moved, it is wrong and Mr. J. Smith from Columbia says it is done to deter public comment.” No member of council replied to Mrs. McDonald’s question. Mrs. McDonald stated to the mayor “someone knocked on my door to ask what Donsco was doing about putting in apartments at a property.” No reply from council or mayor was given. Mrs. McDonald asked President White “what are you doing trying to get rid of trash company, water company and changing the ward system, it is unreal stating that the cost to change the ward system is over \$10,000.” No reply was given.

ADDITIONAL BUSINESS:

Councilman McDonald questioned why date for trick-or-treat is listed as October 31, 2021 in current newsletter. President White relayed that a discussion will be held at next meeting.

ADJOURNMENT

Vice President Smith made a motion to adjourn the September 13, 2021 Regular meeting at 8:39pm. Councilman McDonald seconded the motion. All in favor. The motion carried with a unanimous vote.

Respectfully submitted,
Tammie Hoff
Borough Secretary