

WRIGHTSVILLE

YORK COUNTY, PENNSYLVANIA

WRIGHTSVILLE BOROUGH COUNCIL
REGULAR MEETING

MONDAY, NOVEMBER 4, 2024

Borough Chambers
601 Water Street
Wrightsville, PA

In attendance: President Giandalia, Vice President Lyle, Councilwoman Barrett, Councilwoman Ferrari, Councilman White, Councilman Gromling, Mayor Slenker, Solicitor Ruth, Treasurer Sahd, Engineer McCoy, Secretary Hoff

President Giandalia called the Regular Meeting of the Wrightsville Borough governing body to order at 6:30pm and led the Pledge of Allegiance.

PUBLIC COMMENT:

Sharon Young:

Mrs. Young provided council with an update on the PPL pole matter near her home on Vine St. noting that a new pole is in place but the cement around the pole is still not fixed, and an additional 3 sections of sidewalk need repaired quickly and before winter is here.

Mel McDonald:

Mrs. McDonald relayed to those in attendance that she is thinking about running to be on council again because some people that she has spoken with said she should do it. Ms. McDonald noted that the trick-or-treat date was not in the newspaper again. Mrs. McDonald expressed her concern again that the phones are not answered, restrooms are dirty and a new everything is needed.

Karen Oster:

Ms. Oster relayed to those in attendance that she feels that some members of council are not being transparent enough when discussing abolishing the ward system in the borough noting that she feels there is a lot of stalling happening with no decisions being made.

Cora Rowe:

Ms. Rowe relayed to members of council that she is concerned that no planning meetings were held to discuss borough budget preparation or borough budget. Council President Giandalia responded that all council members were given at least 6 weeks to present their budget items to the administration and finance committee for consideration and that everyone was given the opportunity to have input in preparing the budget. Ms. Rowe announced that she feels that an apology is needed from council president to Smoke for the comments made at the last meeting. Mr. Giandalia said he was not going to apologize.

Christina Runkle:

Ms. Runkle relayed her frustration that no final actions are being taken on the ward abolishment matter and that discussions have been going on since July noting that councilwomen Ferrari and Barrett have shared how much it will cost to reapportion the wards but no one has shared how much it will cost to petition the courts and who is responsible for writing the petition which is an action item listed on tonight's meeting agenda.

Ms. Runkle asked, "what is it going to take to hear what the constituents want?" No further comment or response was provided.

Crystal Bolton:

Mrs. Bolton asked council members what the budget is for solicitor fees for the year. A response was provided indicating the amount to be \$13,500. Mrs. Bolton noted that as of July \$17,000 has been spent. Solicitor Ruth reported that the over expenditure has been assisting the treasurer with police pension matter.

Mrs. Bolton expressed her concern that no budget workshops were held to prepare the borough budget, noting that when she and S. Young were on Borough Council many hours were spent in budget workshops. Mrs. Bolton asked, "Why isn't this being done, why can't council work together?"

Mrs. Bolton noted that she knows many people want wards and don't want to change anything.

Mrs. Bolton relayed to council members that she thinks the whole ward reapportionment matter is shameful and some council members should have listened to what the constituents want, not what they want.

DEPARTMENTAL REPORTS:

Fire:

Report was provided with meeting materials. Chief Livelsberger reported to those in attendance that the department responded to 74 calls in October. Chief Livelsberger that a burn ban is in effect until at least the first week of December.

Police:

No report was provided with meeting materials. Chief Pollock will provide council with the report when it is ready.

Emergency Management Coordinator:

Report was provided with meeting materials.

Ambulance:

No report was provided with meeting materials.

Zoning:

The property maintenance complaint report was provided with meeting materials.

Streets & Parks:

Report was provided with monthly meeting materials.

Engineer:

Report was provided with the monthly meeting materials. Engineer McCoy relayed report highlights to those in attendance.

Engineer McCoy relayed to members of council the following regarding the South Front Street Greenscape Project:

Audit process discovered approximately \$203,000 un-used grant funds. Currently coordinating with DCED for authorization to utilize remaining grant funds towards project to bring in fill for the future Lemon Street parking/dog park area project.

Engineer Klinedinst noted that he hopes to have the design for this area completed by winter with a possible bid received by spring of 2025 with a completed project by fall of 2025.

Engineer McCoy advised members of council that another Local Share Account – Statewide grant opportunity is open noting that the deadline date for grant submission requests is November 30, 2024. After a brief discussion, Councilman White made a motion to amend agenda to add authorization to C.S. Davidson to apply for Local Share Grant. Councilwoman Barrett seconded the motion. All in favor. The motion carried with a unanimous vote. Councilman White made a motion to authorize C.S. Davidson to apply for the LSA Grant. Councilwoman Ferrari seconded the motion. All in favor. The motion carried with unanimous vote.

Council President relayed to Engineer McCoy the sidewalk at 516 Locust Street need repaired as soon as possible noting that work completed by Kinsley is not acceptable and will not be the responsibility of the homeowner to repair.

Treasurer:

Treasurer Sahd provided monthly reports with meeting materials and relayed report highlights to those in attendance.

Treasurer Sahd relayed to members of council that the financial report and check register reflect usual and customary expenses for October.

Councilman White made a motion to approve the October check register as presented by the treasurer. VP Lyle seconded the motion. All in favor. The motion carried with a unanimous vote.

Councilman White made a motion to approve the October financial report as presented by the treasurer. VP Lyle seconded the motion. All in favor. The motion carried with a unanimous vote.

Mayor:

Mayor Slenker relayed to those in attendance that she helped Councilwomen Barrett and Ferrari on Saturday with Christmas decorations and noted that they all look great.

Solicitor:

Report was provided with meeting materials.

Presentation from Councilwomen Barrett and Ferrari:

Wrightsville Whack-a-Mole, A SOLUTION IN SEARCH OF A PROBLEM

Sara Barrett

Alicia Ferrari

Wrightsville Borough Council

HOW DID WE GET HERE?

July 2024: Eric White claims borough is “out of compliance” -- Basis: **uneven numbers of registered voters** across the three wards.

A general discussion was held amongst members of council about abolishment of wards and approving Solicitor Ruth to draft an Ordinance to be publicly advertised, if approved. During the conversation Councilman White noted the following:

Registered voter counts:

<u>2022</u>	<u>2024</u>	<u>%</u>
Ward 1 = 460 voters	400 voters	29.18%
Ward 2 = 425 voters	423 voters	30.85%
Ward 3 = 541 voters	548 voters	39.97%

Source: Wrightsville Borough Council Meeting Minutes, July 2024

Eric White: “We must do something.” Two options:

Reapportionment to achieve even numbers

- Claimed cost: \$25,000+ and a consultant
- “Borough can’t afford it

Abolish the wards to achieve at-large voting

- Motion was made within minutes

Councilman White noted an option would be to hire a consultant to look at the effect on abolishment of wards would begin at a cost of \$25, 000.

Source: Wrightsville Borough Council Meeting Minutes, July 2024

The majority of Council voted in favor of drafting an ordinance based on two misleading and false claims:

1. “Compliance” is based on registered numbers.
2. Reapportionment would cost \$25, 0000 and is therefore not feasible.

WHAT IS THE TRUTH

- Reapportioning the wards can be done at no cost by the council, per Borough Code.
- Wards should have a “nearly equal” number of residents based on Census population data.

§ 903. Reapportionment by governing body.

(a) General rule. --Within the year following that in which the Federal census, decennial or special, is officially and finally reported and at such other times as the governing body deems necessary, each entity having a governing body not entirely elected at large shall be reapportioned into districts by its governing body. The governing body shall number the districts.

(b) Composition of districts. --Districts shall be composed of compact and contiguous territory as nearly equal in population as practicable as officially and finally reported in the most recent Federal census, decennial or special.

Source: Municipal Reapportionment Act, 53 Pa.C.S. 901 et seq.

WHERE ARE WE NOW?

The ordinance to abolish our wards was vetoed by Mayor Slenker. She cited the following objections:

- Strong public opposition to abolishing wards
- Petition against abolishment signed by 124 electors (11%)
- Lack of transparency and consideration re: actual costs and process for reapportionment

The people have spoken: “Hands off our wards.”

What’s next?

According to Ron Grutza, Senior Director of Government Affairs, Pennsylvania State Association of Boroughs:

“You don't really have to do anything. The language in the Code states, “As compact and contiguous as practicable.”

If the borough determines something must be done anyway, the next reasonable step: Reapportion the wards

- Using Census population data
- at NO COST to the borough

WE CAN DO THIS. HERES HOW:

With guidance from the York County Planning Commission, we learned anyone can utilize the York County Census Viewer Application:

experience.arcgis.com

Sincere thanks to:

- Felicia Dell, York Co. Planning Commission
- Tanya Wall: Chief, Information Systems, York Co. Planning Commission

USING THE APP, FOLLOW THESE STEPS:

1. View Census data by municipal boundaries, parcels, and blocks
2. Locate Census tract 23500, which includes Wrightsville borough

3. Using the current ward boundary map, hand draw the existing boundaries over the ArcGIS Web Map provided in the application
4. Export a spreadsheet containing all data for Census tract 23500
5. Color-code each Census block within each ward
6. Total the population counts within each Census block to calculate number of residents within each ward.

experience.arcgis.com

ANALYZE THE DATA

Next, in accordance with Borough Code ‘the governing body’ shall reapportion based on the Federal Census Data. This can be done in a public forum or among council members.

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DATA HAS BEEN ANALYZED

In less than three hours, and for NO COST I analyzed and calculated the population data for each ward, as follows:

2020 Census Blocks										
1	OID	STATE	COUNTY	TRACT	BLKGRP	BLOCK	NAME	POP100		
6820	210701007724278	42	133	23500	3	3000	Block 3000	22.00		
6873	210701007728712	42	133	23500	3	3001	Block 3001	14.00	733.00	1st Ward
6960	210701007728713	42	133	23500	3	3002	Block 3002	8.00	857.00	3rd Ward
7034	210701007728710	42	133	23500	3	3003	Block 3003	67.00	671.00	2nd Ward
7112	210701007731750	42	133	23500	3	3004	Block 3004	20.00		
7163	210701007730797	42	133	23500	3	3005	Block 3005	23.00	2261.00	/3 = 753.67 evenly balanced
7265	210701007731751	42	133	23500	3	3006	Block 3006	33.00		

The calculated totals are consistent with census population totals for Wrightsville borough.



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733.00	1st Ward
857.00	3rd Ward
671.00	2nd Ward
2261.00	3 = 753.67 evenly balanced

For perfectly balanced wards:
 $2261/3 = 753.67$ people per ward

733.00	1st Ward
857.00	3rd Ward
671.00	2nd Ward
2261.00	3 = 753.67 evenly balanced

This would require the following:

- Add 20 people to Ward 1
- Then, remove 84 people from Ward 3 and add them to the 2nd ward
- And, of course, there would be at least 300 registered voters in each ward

Questions:

- To date, why hasn't the original false rationale for abolishing the wards been acknowledged by 4 out of 6 Council members and the Borough Solicitor?
- Since reapportionment can be done at little to no cost, why is there a continued push for at-large voting? What is the motivation, if it is not about compliance?

Questions?

Councilwoman Ferrari and Barret asked those in attendance if anyone had any questions.

Councilwoman asked Mr. White for a summary of past legal fights in Wrightsville that are being used as the basis for these claims.

Mr. White responded that until now no one has known that they can dispute an election, but "They know now." Ms. Barrett asked Mr. White who made the claim.

Mr. White claimed he didn't make a claim, that it was the law, and added, "The Election Code?"

Ms. Barrett said to Mr. White, “The claim came from you.”

Mr. White replied, “Because I know it and you don’t because you’re not educated?”

Ms. Barrett responded: “This claim that there are legal expenses, and delays, this does not. Come from the Election Code. That [claim] was stated by an individual on our Council. That is now being used as a basis for this person introducing this whole thing that started in July. That’s concerning, that the threat is coming from someone on our Borough Council. What are we doing? And why is that being tolerated? That threat is not a real threat. And we have not had any of these elections contested. Saying that it is from the Election Code is an unacceptable answer, so I’m looking for a better answer than that.”

Eric White said he knows three people who will contest the election. Ms. Barrett asked, “Based on what?” adding that until the presentation that was just given, Mr. White hadn’t known the number of people residing in each ward (which what the Borough Code states should be used to determine balance between wards).

Ms. Barrett concluded with “Let the record show that the answer I received [from Mr. White] was “It’s in the Election Code,” although it [Election Code language] wasn’t quoted and there’s no clarity on what that is, and that’s not an unacceptable answer.

Solicitor Ruth said, “That is what the minutes will reflect.”

Ferrari relayed to those in attendance that until this point we all have been told that the cost to reapportion would be more than \$25,000 and compliance would need to be done based on registered voters noting that both of those statements are not factual.

Ms. Barrett referenced a quote made by Mr. White in a newspaper article that the Borough would see legal expenses, fights and delays related to municipal elections. She

After the presentation, Councilman White made a motion to proceed with advertising the abolishment of wards and authorize solicitor to file a Petition to establish Election Districts per Article V of the Pa Election Code. VP Lyle seconded the motion. President Giandalia called for a roll call vote.

A roll call vote was taken and recorded as follows:

Councilwoman Barrett – nay

Councilman White – aye

Vice President Lyle – aye

President Giandalia- aye

Councilwoman Ferrari – nay

Councilman Gromling – aye

Vote passed with a 4-2 vote.

ACTION ITEMS:

Councilman White made a motion to approve the 2025 SPCA Contract & Animal Housing Agreement fee in the amount of \$1,707. Councilwoman Barrett seconded the motion. All in favor. The motion carried with a unanimous vote.

Vice President Lyle made a motion to increase the tax collector commission from 3% to 5% effective January 1, 2026. Councilman White seconded the motion. All in favor. The motion carried with a unanimous vote.

Councilwoman Ferrari made a motion to approve Resolution 2024-23, a resolution approving the 2025 holiday schedule for Wrightsville Borough, York County, Pennsylvania. Councilman Gromling seconded the motion. All in favor. The motion carried with a unanimous vote.

Councilman White made a motion to approve Resolution 2024-24, a resolution approving the 2025 Borough Council Regular, Planning and Zoning Hearing Board Meeting dates. VP Lyle seconded the motion. All in favor. The motion carried with a unanimous vote.

Councilwoman Barrett made a motion to approve reimbursing Councilwoman Ferrari \$120.00 for the two 7 foot nutcrackers she purchased from a local vendor to add to Christmas decorations at Constitution Square. VP Lyle seconded the motion. All in favor. The motion carried with a unanimous vote.

Councilman White made a motion to advertise 2025 Borough budget for formal adoption at the December 2, 2024 Regular Meeting. VP Lyle seconded the motion. All in favor. The motion carried with a unanimous vote.

Vice President Lyle made a motion to approve the Recreation/Entertainment Permit Application and road closure request submitted by the American Legion Post 469 for 2024 Christmas Parade on Sunday, December 1, 2024. Event will be held from 4pm-8pm, parade will begin at 5pm followed by the Christmas Tree lighting ceremony at 6pm. Councilman White seconded the motion. Councilman Gromling abstained from voting due to his affiliation with the American Legion Post 469. The motion carried with a 5-1 vote.

Road Closure approved:

- Locust Street from N. Front Street to 8th Street
- 4th Street from Hellam Street to Locust Street
- No parking on 4th Street from Hellam Street to Locust Street

APPROVAL OF MEETING MINUTES:

Vice President Lyle made a motion to approve the September 9, 2024 Regular Meeting Minutes. Councilman White seconded the motion. All in favor. The motion carried with a unanimous vote.

The October 7, 2024 Regular Meeting Minutes approval was tabled until the November Regular Meeting. Councilwoman Barrett noted that she needed more time to view the meeting minutes.

No October Planning Meeting was held. No minutes to approve.

COMMITTEE REPORTS:

ADMINISTRATION & FINANCE:

No report.

PUBLIC WORKS:

No report.

PUBLIC SAFETY:

No report.

COMMUNITY & ECONOMIC DEVELOPMENT:

Councilman White relayed to those in attendance that the Halloween party held at the American Legion Post 469 went well. Councilman White announced that he and Councilwoman Barrett attended the Susquehanna Discovery Center Project public participation meeting on October 29th and noted that it was a very positive and informational meeting.

PARKS & RECREATION:

VP Lyle announced that there was recent vandalism at the Municipal Authority ballfields at 3rd and Vine Streets and the police were able to identify the 4 individuals that damaged 2 vehicles that were parked there. Councilwoman Barrett announced that there were no major updates to report. Councilwoman Barrett relayed to those in attendance that she has been speaking with local vendors that express interest in having a bi-weekly farmers market in the spring in Riverfront Park. Councilwoman Barrett invited those individuals to share their ideas with members of council during any council meeting.

COMPLAINT:

Councilwoman Barrett relayed to members of council that she and the mayor continue to work through the complaints listed on the complaint report and is working towards implementing a program which would allow all council members to view actions being taken on all complaints through a shared inbox for all to view.

Councilman White announced that there may be interest from Hellam Township and Hellam Borough to join Wrightsville Borough in implementing a multi-municipal property maintenance official. Councilwoman Barrett announced that she would like to be involved in any discussion moving forward. Councilwoman Barrett asked council if they are open to hiring a part-time interim temporary individual at a payrate of \$35/hr. Councilwoman Barrett noted that she may have an individual that would be interested in this position.

PERSONNEL:

No report.

OUTREACH:

Councilwoman Ferrari relayed to those in attendance an invitation to join Wrightsville Presbyterian Church at the Fight Hunger Fall Fest on Saturday, November 9, 2024 from 11am-2pm, noting that non-perishable food and hygiene products donations are being accepted to benefit the Eastern York Food Pantry & The Giving Table.

Councilwoman Ferrari relayed to those in attendance of an upcoming event to be held in January 2025. Councilwoman Ferrari announced that the “Talk About Safety” public event with Scott Palermo with the National Center for Missing & Exploited Children will be held on Monday, January 20, 2025 at 6:30pm with follow-up training on Monday, February 10, 2025 at 6:30pm. Both events will be held inside Fellowship Hall at Wrightsville Presbyterian Church.

ADDITIONAL BUSINESS:

President Giandalia announced that no November Planning Meeting will be held. Council will reconvene on Monday, December 2, 2024.

ADJOURNMENT:

Vice President Lyle made a motion to adjourn the Regular Meeting at 9:12pm. Councilman Gromling seconded the motion. All in favor. The motion carried with a unanimous vote.

Respectfully submitted,
Tammie Hoff
Borough Secretary