

Workshop Meeting Minutes
Hummelstown Borough Council
Thursday, December 8, 2022
7:00 PM

The Thursday, December 8, 2022, workshop meeting of the Hummelstown Borough Council was called to order by President Brian Foster at 7:00 PM. Members in attendance included Chris Black, Chad Lister, Robert Weber, Dee VanGavree, and Kelly Williamson. Randy Lutz was not in attendance. Also in attendance were Theresa Eberly, Borough Manager, Justin Hess, Chief of Police, Mayor Dave Roeting, Brett Flower, Solicitor, Isaac Underhill, Borough Engineer, Dave Willard, & Director of Public Works.

Presentations/Announcement

President Foster announced that there was an Executive Session held prior to the meeting to discuss legal matters.

Citizens Hearings - None

Administration

1. Final Subdivision and Land Development Plan for Automobile Parking Lot by Talisman 7 Ventures, LLC at 17 N Hanover Street

Dee VanGavree and Chris Black requested to be recused from the discussion on the plan.

Mr. Elliot Shibley, Integrated Consulting, provided an overview of the automobile plan at 17 N Hanover and includes lot consolidation plan, and stormwater plan. Several waivers were requested for the plan, primarily for right of way and cartway width.

The plan includes several buildings that will remain and a few that will be demolished. In total there are 78 spaces with a one-way entrance off Hanover. Proposing additional landscaping and ADA parking off Hanover Street. A traffic generation letter was submitted, and the trip generation indicated there would be 20 to 30 peak hour trips. Traffic would enter off Hanover and all traffic would exit to 2nd Street or Mulberry Alley.

Robert Weber indicated that the Planning Commission discussed widening Mulberry Alley and making North Alley one way from Hanover to Water Street. In addition, he said that they had to file a PennDOT highway occupancy needed to have final approval.

Isaac Underhill indicated he reviewed the most recent submission and said there were a few remaining administration comments and they will be able to address them. He confirmed that they need an approved highway occupancy permit.

Motion to Approve adding the plan to the December 15, 2022 agenda was moved by Robert Weber and seconded by Kelly Williamson.

2. Ordinance 2022-06: Rental Registration Ordinance

Solicitor Flower indicated the Ordinance has been in front of Borough Council several times. She noted that there is no fee in the Ordinance, and one will be added in a Resolution formation. This is an annual registration due March 1st of every year for residential rental properties.

Dee VanGavree asked Solicitor Flowers to verify whether tenant names can be included at time of registration.

Resident Gish expressed concern about the fee that will be charged and wanted to know what the range of the fee would be requested. Solicitor Flowers said the Borough is open constrained legally to

fees that are tied to pay for whatever program they're implementing. Manager Eberly explained that the Borough is seeking long term solutions to collecting data on registering units, to include potentially GIS software. In the future she said there may be an inspection component and we want the ability to collect that information.

Dee VanGavree stated that the fees are somewhere between \$35 and \$50 per unit.

Jamie Brubaker said he is supportive of the concept. He said cataloging units is an important first step. He said he would support a tiered structure of rental fees, based on types/number of units. Also stated that there should be a penalty for non-compliance and that the form should collect important building information. Finally, he encouraged the Borough Council to include commercial properties in the rental registration program.

Solicitor Flowers said that the Ordinance can be approved without advertising as long as there are not material changes.

Mr. Gish expressed concerns about penalties and timeframes statement given they are not specified in the Ordinance. He wanted to know what kind of problems the Codes Department are addressing.

President Foster said the purpose of the program is to get a handle on the rentals in the Borough.

Chris Black stated that the inspection piece will come later, once we have a handle on the rentals. He said inspections would happen if we received complaints concerning a rental unit. Mr. Black said there will be leniency for the first year, especially for the smaller businesses. Mr. Gish stated that he was concerns with only allowing 10 days to remedy an issue. Chris Black stated that if the owner is making progress there will be no issue.

Dee VanGavree stated that the Borough will hold educational meetings with landlords in the future.

Solicitor Flower indicated that the type of inspections is applicable under the property maintenance code and are life safety issues.

Motion to Approve Ordinance 2022-06, establishing a rental property registration program with associated requirements, with clarification on whether names of tenants can be included was moved by Robert Weber and seconded by Chad Lister.

3. Evergreen Paving Agreement

Manager Eberly stated that the agreement has been before Borough Council. Recently modifications have been made to the agreement and we are asking for Borough Council's support of the resided agreement.

Motion to Approve the Evergreen Street Agreement moved by Dee VanGavree and seconded Robert Weber.

4. PRP Amendment

Manager Eberly explained that this was a modification to the original PRP to include the new Bullfrog Valley stream restoration project. The PRP amendment must be submitted to DEP. Isaac Underhill indicated we are already doing the project.

Motion to Approve adding the PRP amendment to the December 15, 2022 agenda was moved by Kelly Williamson and seconded by Chad Lister.

5. 2022-2023 MS4 Permit

Isaac described that HRG provided a scope of services to complete the MS4 permit for 2022-2023.

Chris Black asked whether the charges were in line with last year's. Manager Eberly said there is a slight increase in the cost.

Motion to Add the MS4 Scope of Work submitted by HRG to the December 15, 2022, agenda was moved by Robert Weber and seconded by Chad Lister.

6. Resolution No. 2022-R-17

Manager Eberly stated that the Resolution establishes the sewer rate for 2023, and we are looking to add to the Regular meeting agenda.

Motion to Add Resolution 2022-R-17 to the December 15, 2022, agenda was moved by Chad Lister and seconded by Chris Black.

7. Ricker Land Development Plan

Motion to table plan was moved by Robert Weber based on information that was received today and seconded by Chris Black.

8. Other Business

Dee VanGavaree stated she did not see discussion on the 2023 Budget on the agenda. She wanted to provide Borough Council with a second option to amend the proposed budget. She recommended the budget be amended as follows:

1) Stormwater Fee be billed in March 2022

2) Pass through the refuse fee

3) Pass through the sewer fee

4) Not in agreement to raise the RE tax or Occupation Tax at a time when the inflation rate is the highest in 40 years. She said we are still feeling the impact of Covid and many people are hurting and living pay check to pay check.

5) Recommends moving \$100,000 from the Capital Improvement Fund from the \$300,000 that was transferred and utilize the surplus fund to cover \$100,000 to cover the deficit. This will allow relief for residents in 2023 and to possible tax increases in 2024/2025.

She stated that she agrees with President Foster and Vice President Weber that Borough Manager and Finance Director have done an exceptional job developing the budget and commend them on a job well done.

Dee VanGavree made a motion to provide an amendment to the 2023 budget as above and place it on the agenda December 15, 2022 agenda. Motion was seconded by Chris Black.

There was discussion on the procedure on the motion. The Solicitor stated that the advertised budget is on the agenda for next week. It can still be amended prior to adopting the advertised budget.

Dee VanGavree stated that there needed to be more discussion on the budget. Chad Lister indicated that there were 5 budget meetings that were open to the public.

Chris Black said that there are number of people who have expressed concern about the meeting.

President Foster indicated that amendments could be made to the budget next week.

Solicitor said there would need to be two motions on the agenda- either spending money or not spending the money. She said if the Borough Council adopts a budget with no tax increases it will still need to be advertised.

Tax Collector Angela Durantine stated that she feels the tax increases will hit our residents hard. She said we just raised the Occupation Tax to \$200 last year and the new increase will not be easy. She suggested bringing up the tax exemption from \$6,000 to \$12,000. She said the potential increase is higher than Hershey. President Foster asked what the impact would be if exemption is raised to \$12,000. Ms. Durantine did not know what the impact would be.

Chris Black asked whether we could raise the exemption level, regardless of a tax increases.

Solicitor Flower indicated that the exemption level could be increased.

President Foster said he thinks Borough Council should support moving the scale.

Isaac Underhill gave a brief update. He stated that we are closer to moving forward with the Quarry Road sidewalk design. West End has not been going well due to the weather. Stated the Bullfrog Valley stream restoration is going well. The plan is to complete the majority of the project before Christmas and come back in the spring to landscape. He said the traffic light is looking to be completed in the summer.

Adjourn – 8:02. Pm

Respectfully Submitted by

Theresa Eberly