

The Borough Council of Shiremanstown, Pennsylvania held its regular monthly meeting February 14, 2022, at 7:00 P.M. at Borough Hall, One Park Lane, Shiremanstown, Pennsylvania.

**COUNCIL MEMBERS PRESENT**

John J. Getz, President  
Lucy Getz  
Bryan Homer  
David Lagerholm  
Carol Mullen-O'Leary  
Matt Simmons

**BOROUGH OFFICIALS PRESENT**

Tammie G. Dailey, Mayor  
Andrew Sheely, Solicitor  
Janna Colechio, Secretary

The meeting was called to order at 7:00 P.M. followed by the Pledge of Allegiance.

**MINUTES**

On a motion by Mr. Lagerholm and seconded by Mrs. Getz, the minutes of the December 13, 2021, Council Meeting were approved as written.

On a motion by Mr. Homer and seconded by Ms. Mullen-O'Leary, the minutes of the January 3, 2022, Reorganizational Council Meeting were approved as written.

**TREASURER'S REPORT**

The Treasurer's Report for the month of December 2021 previously had been distributed to Council. Mr. Homer made a motion to accept the Treasurer's Report for December 2021 and file it for audit. With a second from Mrs. Getz, the motion passed unanimously.

The Treasurer's Report for the month of January 2022 previously had been distributed to Council. Mr. Homer made a motion to accept the Treasurer's Report for January 2022 and file it for audit. With a second from Ms. Mullen-O'Leary, the motion passed unanimously.

**CITIZEN'S REPORT**

Citizens Present:

Jeff Bland	200 East Walnut Street
Paula Bland	200 East Walnut Street
Cindy Watson	220 Walnut Circle
Tom Stang	Waste Management
Tom McCutcheon	Shiremanstown Fire Department
Anna Harris	106 West Main Street

**PRESIDENT'S REPORT**

Bid packages for the 2022-2025 Solid Waste Contract were opened.

Republic Services submitted a letter stating they would not be participating in the bidding process.

Waste Management submitted a bid with the following options addressed:

Option 1 - Unlimited solid waste collection with no recycling option month	\$26.00 per
Option 2 - Unlimited solid waste collection and weekly collection of recyclables (continuation of current services) month	\$35.12 per
Option 3 - Unlimited Solid waste collection and biweekly collection of recyclables (no additional containers provided)	\$31.00 per month
Option 4 - Unlimited solid waste collection weekly with three recycling bins placed in various spots throughout the Borough (no curbside pick up of recyclables) month	\$27.50 per

No other bid packages or responses were received. Mr. Sheely reminded Council and the public that the bid offered by Waste Management included three-year fixed pricing with an option for continued services for years four and five.

Mr. Getz reminded Mr. Stang of the substandard services the Borough had received for several months in the summer of 2021. Conceding that collection services have improved since, there are now complaints of trash being picked up in residential neighborhoods as early as 3:45 or 4:00 AM despite the contract stating services would begin no earlier than 6:00 AM. Mr. Stang responded that under the new contract, it is the intent to dedicate trucks from the Camp Hill office and no longer make use of the Shippensburg crew.

Mr. Simmons thanked Mr. Stang for his availability throughout the ending of the current contract purchased by Advanced Waste and acknowledged that the previous contract had been underbid. He also recognized that the cost of recycling had greatly increased since the contract with Advanced Waste had been awarded.

Discussion ensued regarding the four options and the possibility of either holding a special meeting of Council in March or tabling the decision until the March meeting of Council. At the conclusion of the discussion, Mr. Simmons made a motion to continue services to the Borough under Option 2. With a second from Mrs. Getz, the motion passed. Mr. Sheely will prepare the necessary documents for formal acceptance of the contract at the March 2022 meeting of Council.

At 7:30 PM, Council recessed for a public hearing to review the petition submitted by Jeffrey Bland and Carol O'Leary to vacate a portion of Spruce Street. Mr. Sheely had provided all Council members with a packet of Borough Exhibits regarding the request and explained that this was a formal hearing to give the petitioners and members of the public an opportunity to give testimony. At the close of the hearing, the record would be closed, and discussion added to a future agenda. At the close of the hearing, Mr. Sheely advised that a copy of the court stenographer's transcript can be secured for review by Council and that the matter would be tabled until the March 2022 meeting of Council.

An ordinance amending, changing, and modifying the codification of the ordinances of the Borough of Shiremanstown modifying Article 7, Appendix 1-D, to establish one way traffic north on High Street from East Main Street to Front Street was considered. Mrs.

Getz made a motion to adopt Ordinance No. 417 to establish one way traffic north on High Street from East Main Street to Front Street. With a second from Mr. Simmons, the motion passed unanimously.

Discussion regarding a possible open Council seat was led by Mr. Getz. It was noted that upon receipt of a restricted registered letter from the Borough to Mr. Lagerholm, he was now in attendance despite an absence of over one year and sporadic attendance prior. Mr. Getz stressed the importance of regular attendance and communication regarding absences when they are necessary to the future governing of the Borough. In conclusion, he addressed each elected official at the table regarding their intention to adhere to the expected performance of duties, stating that any member not wishing to make such a commitment is free to offer their resignation. Mayor Dailey expressed dismay that an elected member of Council could not be dismissed based on abandonment of position. Mr. Sheely explained the Borough Code had been amended and that portion removed. However, for potential future issues, he advised Council that they are able to schedule a hearing for impeachment to remove those not actively serving the Borough or participating in Council meetings.

Courtney Burbank had confirmed with the Borough Secretary that despite being verbally told by the County Borough of Elections that she had won the election on write-in votes, she did not intend to accept the position of tax collector. The County had contacted the Secretary suggesting that due to a lack of a Borough Manager, she either seek the Council's approval to act as the Borough's tax collector for the next two years or find an elector of the Borough willing to accept the position. Having reached out to multiple citizens within the Borough, only one letter of interest was received. The letter of interest by Ji Montgomery previously had been provided to the Council. Ms. Mullen-O'Leary objected stating she did not know Ms. Montgomery and felt that Council should have been able to also include recommendations for the position. Mr. Sheely explained that he had been made aware of the vacancy due to the legal issues potentially involved and echoed the sentiments of Mr. Getz stating the Borough has had continuing decline in citizens willing to be involved in their local government. With the position of tax collector, there was a very small window of time to fill the position and have tax statements issued prior to the deadline imposed on the County to have tax statements mailed prior to March 1, 2022. Following discussion, Mr. Simmons made a motion to appoint Ms. Ji Montgomery to the position of tax collector vacated by Courtney Burbank and adopt Resolution 2022-01. With a second from Mrs. Getz, the motion passed five to one, with Ms. Mullen-O'Leary voting against the appointment.

A Resolution of the Shiremanstown Borough Council, Cumberland County opposing the Pennsylvania Department of Transportation tolling of the 1-83 South Bridge was considered. The resolution cited various reasons contesting the insight of the Department of Transportation in proposing such action. Mr. Lagerholm made a motion to adopt Resolution 2022-02. With a second from Mr. Homer, the motion passed unanimously.

In conjunction with the advice of the Borough Engineer, Phillip Brath, the Council considered applying for the \$10 million exemption of ARPA funds received. By doing so, the Borough may select the "standard allowance" and use funds that amount for normal government services and or projects, such as the conceptual ideas or a Borough Campus. Mr. Simmons made a motion to authorize the Secretary to apply for

the \$10 million exemption. With a second from Mr. Homer, the motion passed unanimously.

### **COUNCIL OF GOVERNMENTS**

Mr. Getz had nothing new to report.

### **LOCAL EMERGENCY MANAGEMENT**

Mr. Getz noted that the latest meeting was training on handling the media in emergency situations.

### **MAINTENANCE AND BOROUGH GROUNDS**

With the recent winter weather, Mr. Getz reminded the road crew that just as owners of corner properties are expected to clear snow and ice from both sides of their properties to the curb, the Borough is also obligated to do the same with borough properties and parks.

Mr. Bretz requested permission to order playground mulch for both Memorial and Manor Parks this year. Council authorized Mr. Bretz to order playground mulch for installation as soon as weather allows.

Street sweeping dates for 2022 have been established. The Spring sweeping will be on April 4 and April 5, 2022, and the Autumn sweeping will be conducted on October 3 and October 4, 2022.

### **SANITATION**

Mr. Simmons had nothing additional beyond items already discussed during the bid opening earlier in the evening.

### **CODES ENFORCEMENT/ZONING OFFICER**

The Zoning Officer's Report for the month of December 2021 had previously been distributed to Council. Six building permits had been issued in for a total of \$1,567.00 (one thousand five hundred sixty-seven dollars) collected in fees.

The Zoning Officer's Report for the month of January 2022 had previously been distributed to Council. Two building permits, and two zoning permits had been issued in for a total of \$199.00 (one hundred ninety-nine dollars) collected in fees.

Activity included a third citation issued to the property owner of 118 South Locust Street and an Airbnb operating from 301 West Maple Avenue. Mrs. Alloway's BCO certification has been renewed.

It was agreed that there are conflicts between the Borough's exterior maintenance ordinance and the zoning ordinance. Mrs. Alloway will provide examples for Council to review. Mr. Sheely reiterated the importance of a functioning Planning Committee.

### **STREETS AND PAVEMENTS**

There were no new issues reported. Mr. Homer and Mr. Getz have a meeting scheduled with the principal of West Shore Christian School to resolve recurring traffic issues caused by school bus and private transport of students to and from the school.

**MECHANICSBURG SCHOOL BOARD**

Ms. Mullen O’Leary reported that with the decrease in COVID 19 case numbers, discussion took place regarding the optional use of masks. Another point of interest involved students from the Vo-Tech school using their career and technical education skills in a cooperative education program designed to give students an opportunity to be placed in an entry-level position within their communities to experience work in their related program which cannot be duplicated in the classroom.

**PUBLIC SAFETY**

Mr. McCutcheon provided activity and financial reports for the Shiremanstown Fire Department for the month of January 2022.

**PARKS AND RECREATION**

Mrs. Harris requested permission to seek an ice cream truck to drive through the Borough in the upcoming summer months. There would be no financial obligation on the Borough’s part. Council had no objections.

**MAIN STREET**

Mrs. Getz has received an email from the Maintenance Superintendent of Lemoyne Borough, Cliff Karlson offering the Borough identical Christmas wreaths that had been used by Lemoyne but are now being replaced. The wreaths are being offered to the Borough of Shiremanstown free of charge. Mrs. Getz agreed to reach out to Mr. Karlson to accept this generous offer.

**MAYOR’S REPORT**

**December**

Complaints Rec’d	25	Traffic	3
Criminal	1	Non-Traffic	0
Assist. Other Depts.	15	Verbal Warn	0
PD Revenue	\$ 574.28	Parking Tkts	0
		Written Warn	0

<b>Officer</b>	<b>Hours</b>	<b>Traffic Tickets/Arrests</b>
Stoner	207.0	0
Montgomery	207.0	2
Shaughnessy	39.0	0
Holley	42.0	0
Hutcheson	21.0	0
Hall	25.0	1
Gelnett	12.0	0
Kitzmilller	0.0	0

Citations for the month included one (1) for an expired inspection, one (1) for and expired registration, and one (1) for driving without a license.

**January**

Complaints Rec'd	29	Traffic	0
Criminal	0	Non-Traffic	0
Assist. Other Depts.	9	Verbal Warn	0
PD Revenue	\$ 270.23	Parking Tkts	0
		Written Warn	1

Officer	Hours	Traffic Tickets/Arrests
Stoner	189.0	0
Montgomery	189.0	0
Shaughnessy	20.0	0
Holley	21.0	0
Hutcheson	9.0	0
Hall	18.0	0
Gelnett	18.0	0
Kitzmiller	0.0	0

Dave Dyson of Bible Baptist Church has been in contact with Mayor Dailey regarding the church's Week of Service beginning May 14, 2022. The church is offering their services for tangible needs of members of the Shiremanstown community.

**SOLICITOR'S REPORT**

Mr. Sheely reminded Council and the public that an integral part of the Borough being self-governing is a community willing to serve and participate as volunteers on various boards and committees such as the Planning Committee, the Zoning Hearing Board, and the Recreation Committee. Without the input of the community, the Borough is in danger of losing its autonomy to a larger municipality.

Codification of the Borough's ordinances is an important issue particularly as judges wish to be able to access ordinances online. Without a Planning Committee, addressing and updating discrepancies between outdated ordinances and the zoning codes is impossible.

**OLD BUSINESS**

The Secretary announced that despite reaching out to former members of the Planning Committee and members of the Zoning Hearing Board, only one response was received for each. Mr. Runkle is no longer available to serve on the Planning Committee and Mary deCoen is willing to be reappointed to the Zoning Hearing Board. The Zoning Hearing Board requires three members, and has only one, and the Planning Committee has no current members but should have 3-5 members. Council authorized the Secretary to advertise for volunteers via the Borough's website and Facebook page. The issue of Pedestrian signs on Main Street was again discussed.

**NEW BUSINESS**

Mr. Lane requested that a certificate of resolution be provided for the Borough's Benefit Plan. This plan provides for the full-time police officers to have deductions from their pay to include their spouses on their health insurance plan. There is no cost to the Borough for this. Mr. Lagerholm made a motion to adopt Resolution 2022-03 as read. With a second from Ms. Mullen-O'Leary, the motion passed unanimously.

### **ANNOUNCEMENTS**

There were no announcements.

Mr. Simmons made a motion to accept the receipts and pay the bills. The motion was seconded by Mr. Lagerholm and carried.

Mr. Simmons made a motion to adjourn the meeting at 9:09 P.M. With a second from Mrs. Getz, the motion passed unanimously.

SUBMITTED FOR APPROVAL,

Janna E. Colechio  
Borough Secretary