

**Borough Council Meeting Minutes
Borough of New Cumberland
Wednesday, June 14, 2023**

The New Cumberland Borough Council held its regularly scheduled meeting on Wednesday, June 14, 2023, in the Council Chambers of the Borough building located at 1120 Market Street, New Cumberland, PA.

1. Call to Order and Pledge of Allegiance to the Flag — The meeting was called to order at 7:00 p.m. and the group was led in the Pledge of Allegiance to the Flag by Council President Robert P. Kline.

2. Roll call

Borough Council Present

Robert P. Kline, President
Donald Kibler, Vice-President
Fred Miles
Gennifer R. Richie
Chad Wilson
DJ Landis
David Stone

Borough Officials Present

Michael McLaughlin, Acting Police Chief
Jeff Goulty, Fire Chief
Michael J. Cassidy, Solicitor
Thaddeus G. Eisenhower, Mayor
Nathaniel Dysard, Borough Manager/Secretary
Vanessa Dettrey, Admin. Assistant

The Borough Engineer was absent.

3. Zoning Map and Ordinance #717 Public Hearing — Solicitor Cassidy introduced the Zoning Ordinance and map by mentioning the advertisements required by law as well as the public comments made available over the course of the drafting period. Manager Dysard defined the purpose of having a Zoning Ordinance in place and the importance of having the map and text updated.

Rebecca Waldemar, 422 Haldeman Boulevard, requested the same hours that are enforced for noise to also be enforced for vibration and to implement that requirement on the weekends, not just the weekdays. She then asked how this is going to be enforced. Manager Dysard explained that the Zoning/Code Enforcement Officer, Brian Searle has reached out to you to provide an answer. She then requested that the fence height could be increased to eight (8) feet without having an issue with aesthetics. She also requested a clearer definition of the right-of-way.

Zach Sellars, 903 Sixteenth Street, questioned whether the update in the Zoning Ordinance will affect the community parks. Manager Dysard explained that the borough property is zoned institutional so it would restrict development.

Joan Erney, 613 Sixteenth Street, requested a summary of the major changes within the Zoning Ordinance whether it is a separate document that is paired with it or added to the Borough Newsletter.

Brianna Freestat, 9 Jeffery in Mechanicsburg, asked how long Council has been working on this plan. President Kline stated from the end of 2020 to the beginning of 2021. She asked if this was contracted out for services. President Kline replied yes, initially there was a consultant hired. She explained her concern for the businesses and property owners that would have to meet the new requirements of the Zoning Ordinance. Solicitor Cassidy explained that if re-zoning results in a legally permitted property being non-conforming with the new ordinance the property would be grandfathered in. The approval of this ordinance would not trigger the requirement that a legally permitted existing business or property owner bring their property into immediate compliance.

John Dellegratto, 1703 Kathryn Street, asked how the change of the zoning district of R1A to R1 will affect the property owners in those areas. Manager Dysard explained that the impact would be minimal and would mainly be looking at a couple of feet in the side-yard setback.

Robert Hasemeier, 1612 Bridge Street, referenced Section 403 which has a requirement for urban gardens and tree planting. He explained that many neighboring municipalities have a requirement for a minimum number of trees to be planted in residential areas and asked Council to take this into consideration.

4. Approval of May 10, 2023, Regular Meeting Minutes — A motion was made by Vice-President Kibler, seconded by Councilwoman Landis to approve the Regular Meeting Minutes of May 10, 2023. All were in favor. MOTION carried.
5. Approval of May 31, 2023, Special Meeting Minutes — A motion was made by Vice-President Kibler, seconded by Councilwoman Landis to approve the Special Meeting Minutes of May 31, 2023. All were in favor. MOTION carried.
6. Approval of Disbursements for May 2023 — A motion was made by Councilwoman Landis, seconded by Councilman Miles to approve the Disbursements for the month of May 2023. All were in favor. MOTION carried.
7. Approval of Treasurer’s Report for May 2023 — A motion was made by Councilman Stone, seconded by Councilman Wilson to approve the Treasurer’s Report as presented. All were in favor. MOTION carried.

General Fund	\$2,441,549.40 (ARPA \$39,602.45)
General Fund – Payroll	\$415.17
Liquid Fuels Fund	\$374,505.71
Revitalization Initiative	\$33,676.70
Capital Improvement	\$832,687.97
Capital Reserve Account	\$6,666,371.21

8. Hear Visitors —

Herb Kern, 1400 Oak Lane, Thanked Council and Mayor Eisenhower for giving him the opportunity to share his story of the war in Korea at the upcoming Memorial Parade Event.

Harry Jenkins, 601 Fifth Street, applauds the actions that he is seeing from the Borough Manager and the Borough Office.

Frank Kelly, 240 Poplar Avenue, stated that Seventh Street Park landscaping has been completed. He thanked Manager Dysard for the mulch and also thanked Manager Dysard, Zoning/Code Officer Brian Searle, and Police Chief McLaughlin for their work.

Joan Erney, 613 Sixteenth Street, requested that public notices be advertised in a different newspaper. She also highlighted the Resource Fair; it is a free event on August 29th from 5:00 p.m. to 8:00 p.m.

Robert Hasemeier, 1612 Bridge Street, reiterated the importance of the Zoning Ordinance document but also wants public comment recognized. If the ordinance is passed today, he requested another opportunity be presented to recognize public comment for future changes.

Jillian Stewart, 426 Hillside Road, expressed her concerns for the businesses in New Cumberland regarding the change in the Zoning Ordinance. If these properties are not grandfathered in and are required or expected to make large financial decisions to stay in compliance, it could hurt the businesses. She asked Council to take this into consideration when approving the ordinance.

Rebecca Waldemar, 422 Haldeman Boulevard, showed support for Robert Hasemeier's comment.

William Hamilton, 212 Rosemont Avenue, explained that there are a number of people who own and rent on his street and have more than two (2) cars for each property. Are there any rules about how many cars a person can have? Manager Dysard stated that the Borough cannot regulate the number of cars. Solicitor Cassidy explained further that the Borough can only regulate parking, but not how many cars each resident owns.

9. President's Report

-Council President

- A. Consideration to Adopt Zoning Ordinance #717 — A motion was made by Vice-President Kibler, seconded by Councilman Stone to discuss Zoning Ordinance #717. Councilman Miles asked for available options to regulate the planting of trees. Manager Dysard stated that it could be incorporated into the Land Development Ordinance. Solicitor Cassidy added that a Shade Tree Commission can regulate planting trees in the right-of-way. President Kline stated that a new ordinance would need to be developed to regulate trees that are appropriate for the right-of-way if the Shade Tree Commission is to be re-established. Councilman Wilson asked to provide a summary of each zoning district for the residents so they are aware of what may affect them. Manager Dysard explained that the adoption of the new Zoning Ordinance does not immediately impact anyone assuming that all work done on the property has been legally permitted and will only impact future work done to the property. Solicitor Cassidy provided an explanation to Councilman Wilson that a summary of non-conformity could be provided for residents. A motion was made by Councilman Wilson, seconded by Vice-President Kibler to table the discussion of Zoning Ordinance

#717 for the next Council meeting on July 12th, 2023, with public comment to continue until June 29th, 2023, and consideration for adoption at the August 9th, 2023, Council meeting. All in favor. MOTION carried.

- B. Consideration of Special Event Application for New Cumberland Music & Film Festival — A motion was made by Councilman Miles, seconded by Councilwoman Richie to approve the New Cumberland Music & Film Festival on Saturday, September 16th and Sunday, September 17th, 2023, from 5:00 p.m. until 10:00 p.m. at Third Street Alley adjacent to the West Shore Theatre. All in favor. MOTION carried.
 - C. Consideration of Special Event Application for National Night Out — A motion was made by Councilman Wilson, seconded by Councilman Stone to approve National Night Out on Tuesday, August 1st, 2023, from 6:00 p.m. to 9:00 p.m. at 300 and 400 Blocks of Bridge Street. All in favor. MOTION carried.
 - D. Consideration of 2023 ADA Curb Ramps Bid — A motion was made by Councilman Miles, seconded by Councilman Stone to approve the 2023 ADA Curb Ramps base bid of \$92,409 with the addition of Reno Avenue to Brandt Avenue for \$13,472 to Kee-ta Quay Construction for a total of \$105,881. All in favor. MOTION carried.
 - E. Consideration to Adopt Floodplain Ordinance #716 — A motion was made by Vice-President Kibler, seconded by Councilman Miles with a vote of six (6) yeses and one (1) no by Councilman Wilson to adopt the Floodplain Ordinance #716. MOTION carried.
 - F. Resolution Authorizing Disposition of Abandoned and Unclaimed Property — A motion was made by Councilwoman Landis, seconded by Councilwoman Richie to approve Authorizing the Disposition of Abandoned and Unclaimed Property, which includes nine bicycles that will be donated to charity. All in favor. MOTION carried.
 - G. Announce Recreation, Park and Trail Network Plan Committee — President Kline announced Stephanie Williams, President Kline, Josh Zuvich, Councilman Miles, Paul Richie, Kristen Rowe, Councilman Wilson, Valerie Copenhaver, and Manager Dysard as members of the Recreation, Park, and Trail Network Committee.
- 10. Engineer's Report — Engineer Derolf provided a report for the month of May 2023.
 - 11. Mayor's Report — Mayor Eisenhower provided a report for the month of May 2023.
 - 12. Police Chief's Report — Chief McLaughlin provided a report of the Police Department's activities for the month of May 2023.
 - 13. Fire Chief's Report — Chief Gouldy provided a report of the Fire Department activities for the month of May 2023.
 - 14. Solicitor's Report — Nothing to report.
 - 15. Manager's Report — Manager Dysard provided a report of the activities within the Borough for the month of May 2023.

16. Executive Session — President Kline called for an executive session to discuss a personnel matter at 8:30 p.m. The meeting reconvened at 9:01 p.m.
17. Adjournment — A motion to adjourn was made by Councilman Wilson, seconded by Councilman Stone. All were in favor. MOTION carried. The New Cumberland Borough Council meeting adjourned at 9:03 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Nathaniel J. Dysard', written in a cursive style.

Nathaniel J. Dysard

Borough Manager/Secretary