

**CAMP HILL BOROUGH COUNCIL
MINUTES OF THE SPECIAL MEETING
2145 WALNUT ST. PROSSER HALL
CAMP HILL, PA 17011
JANUARY 18, 2005**

Council President Smith called the public meeting to order at 7:10 PM. Present were:

Jeffrey Smith, President
Debbie Keys
Richard McBride
Burke McLemore
Liesl Beckley
Mr. Buell (absent)
Brian Musselman (absent)

Also present were Mayor Doug Morrow, Police Chief Jan Ammons, Solicitor J. Stephen Feinour, and Borough Manager Nan Balmer.

QUESTIONS AND COMMENTS FROM THE PUBLIC & BOROUGH COUNCIL

Mr. Smith indicated that the meeting was to consider Borough business including consideration of the adoption of an Ordinance establishing an Emergency Municipal Services Tax which had been advertised as required under the law. He invited comments from those present. Comments were made by:

Ruth Ann Crosley
Bob Bounoro
Bill Bottinari
Tammy Van Donk
Kervin Kramer
Wayne Weber
Molly Robertson

The following issues were discussed:

Q: What will be the effect of the tax on school children who might be working part time?
Can the total tax be paid on a pro-rata basis depending on total income?

A: Individuals making less than \$10,000 from all sources are exempt from the tax. After the tax is paid, upon presentation of a certificate of payment, it cannot be withheld again. The tax is a flat tax and there is no provision in the law to allow for pro-rating this tax.

Q: What will be the effect of the tax on the retired?

A: If an individual is not employed, no tax is owed; the tax is on the privilege of working in the Borough.

Q: Does the Borough have a contingency fund / and what are the uses of the proposed tax?

A: The Borough does not have a contingency fund. Mr. Smith outlined allowable uses for the tax for fire, police, and road repair projects totaling over \$400,000, which exceeds the \$336,000 projected revenue from the tax.

Q: Will the tax be deducted within the next few weeks?

A: West Shore Tax Bureau is currently working on collection rules and procedures to make collection as painless as possible. The tax can be collected from one pay or in a manner that is at the employer's discretion as long as the total tax is remitted at the end of the quarter in which the employee first appears on the roles. We would expect most of the tax to be collected in the first quarter.

Comment: The tax will make it more difficult to attract employees to Williams Sonoma, which hires temporary employees during holiday season. Asked that Borough Council compromise between the current \$10 tax and the \$52 tax allowed.

Q: Will the Borough consider paving handicapped ramps in neighborhoods where they do not exist? Comment: Curb cuts should be extended to new neighborhoods.

A: Curb cuts may not be an allowable expense under an EMS tax. Curb cuts may be allowable under the "Safe Routes to Schools" Program. The Borough will look into these possibilities.

Q: Has it been determined when the tax will be collected? What will be the fee to the West Shore Tax Bureau? When will the funds be turned over from the Bureau to the Borough?

A: Statute allows for a one time collection, but we anticipate that the West Shore Tax Bureau will allow for employer's discretion in tax collection. There will be a reasonable administrative fee to the Bureau. The Borough expects funds will be turned over to the Borough as soon as they are verified and available.

Comment: The tax should be tied to specific, important purposes and that the Borough should consider a tax less than the full \$52 available for the first year it is imposed.

Q: Must the EMS tax be used for capital expenses?

A: No.

Q: How is the \$10,000 exemption determined? Is the employer or the employee held responsible for payment of the tax? How is the tax enforced?

A: Both the employer and employee are responsible for payment under the law. Information for enforcement is gathered primarily through employers' quarterly tax reports.

Borough Council Comment:

Mr. McLemore asked why the \$10,000 rather than the allowable \$12,000 exemption of income was proposed. He further commented about his concern about the regressive nature of the tax as well as the burden that a one time payroll deduction of \$52 will impose on the low income worker. Mr. Smith responded that the \$10,000 figure was used in order to match the current exemption set by the school district; that it was his opinion the EMS tax on wage earners was less regressive than raising real estate taxes which the EMS tax could be used to prevent and emphasized that the WSTB was, at Camp Hill's urging, looking at ways to allow employers more options to collect the tax over several pays rather than on a one time basis.

BUSINESS PORTION OF MEETING

Mr. Smith presented Council with an Ordinance to adopt a \$52 Emergency Municipal Services Tax which had been advertised as required by law.

- Motion made by Ms. Beckley, seconded by Ms. Keys to approve the Ordinance as advertised.
 - Roll Call Vote:
 - Ms. Keys: Yes
 - Ms. Beckley Yes
 - Mr. Smith Yes
 - Mr. McBride Yes
 - Mr. McLemore: No
 - Motion passed: 4 votes Yes; 1 vote No

Mr. Smith presented a recommendation that Section 16 of the Ordinance be deleted because it is duplicative of Section 12 and that the sections of the Ordinance be renumbered. Mr. McLemore noted that Sections 12 and 16, while similar, have slightly different language. Mr. Feinour agreed, but advised that the differences were not substantive.

- Motion by Ms. Beckley, seconded by Ms. Keys to amend the Ordinance to delete Section 16 because it is redundant of Section 12.
 - Roll Call Vote:
 - Ms. Keys: Yes
 - Ms. Beckley Yes
 - Mr. Smith Yes
 - Mr. McBride Yes
 - Mr. McLemore: Yes
 - Motion passed: 5 votes Yes.

Ms. Keys presented a recommendation to reappoint Wes Burns to the Zoning Hearing Board for a three year term retroactive to begin on 1/1/05.

- Motion made by Ms. Keys, seconded by Ms. Beckley to appoint Mr. Burns as stated. Motion passed unanimously.

Ms. Beckley reported on behalf of the Parks and Recreation Committee regarding pool fees and tennis passes. With regard to the pool, staff reported that there have been an increased number of days when the pool reaches capacity and that many pool membership applications include multiple members that are not living in the same household or in the Borough. To correct this problem, the Committee recommended that a pool membership should be limited to two adults and 4 children with a \$25 fee charged for each additional child beyond 4.

Existing policy defines a child to be someone ages 1 through 17 and policy also states that Camp Hill residents over age 17 may acquire an individual pool membership for \$85. There were numerous comments regarding whether overcrowding could be from individuals buying daily passes, whether pool passes are checked by pool staff, whether the Borough could be penalizing families with more than 5 children, the advisability and enforcement of the current policy requiring individuals over 17 to purchase individual pool memberships, as well as a suggestion to include "School attended" as an indicator of the location of residence for most Borough children.

- Motion made by Ms. Beckley, seconded by Ms. Keys to define a family membership to the pool to include a maximum of 2 adults and 4 children up to age 17, and to require a \$20 charge for each additional child in the family. Mr. McLemore suggested an amendment to require applicants for pool membership to indicate what schools each child on the application attends and to allow an exception to the rule of no more than 4 children per family membership if any additional children are confirmed by the school district to be part of the same household. He suggested a second amendment to define a child as an individual up to age 18 or an individual over 18 through that individual's year of high school graduation. Ms. Beckley and Ms. Keys accepted both amendments to the motion. After additional discussion, Mr. McLemore called for the question. The motion, as amended, passed unanimously.

At 8:25 PM, Council recessed to an Executive session to discuss a legal matter. At 8:42 PM, Council reconvened and adjourned.

Respectfully submitted,

Nanette Balmer, Secretary