

Jefferson Borough, York County, Pennsylvania

Meeting Minutes for June 3, 2013

Present

President Marlyn Stauffer
Mayor James Sanders
Vice President Dawn Roser
President Pro-Tem Dave Loeffler
Councilman Wilson Heltzel
Councilwoman Anne Loeffler
Councilwoman Jennifer Ritz
Junior Council Person Jon Ritz

Also Present

Secretary Treasurer Deborah Corbin
Engineer Chad Clabaugh
Attorney Glenn Smith

Absent

Councilman Dave Ritz

I. Pledge to the Flag

President Stauffer led the June 3, 2013 Jefferson Borough Council Meeting with the pledge to the flag of the United States of America at 7:00 p.m.

II. Minutes

President Stauffer asked Council to review the May 6, 2013 regular meeting minutes. Mr. Loeffler made a motion to adopt the meeting minutes with a change to the title in XI E 1 from *Mosquito Surveillance* to *Penn Waste Delinquent Report*; and changing the numbering in XI D from 1.2.3.3.4. to 1.2.3.4.5. Mrs. Ritz seconded the motion. The motion passed with all yeas votes.

III. Planning Commission Report

The Planning Commission met on May 15th, 2013 to address a Conditional Use request by the residents of 48 Hanover Street. The Chair of the Planning Commission, Mr. Eiben, was there to deliver his report. Council had a copy of the report in their packets. The Planning Commission recommended the approval of the Conditional Use for Farmette Status, with six horses on eight acres. A Manure Management Plan was requested to provide adequate processing of waste. The residents did have a Manure Management Plan developed and submitted the plan to Council. Mr. Eiben commented on the development of the 2003 Zoning Ordinance, informing Council that the intent of the Farmette Status was to keep the rural nature of the municipality intact, there being twelve to fourteen properties of four or more acres.

IV. Conditional Use Hearing

Mr. Eiben, the Planning Commission Chair, had read the Planning Commission report and commented on the nature of intent with regard to the 2003 Zoning Ordinance. Mr. Eiben then referred to the Borough Engineer, Mr. Chad Clabaugh, to confirm the acreage of the property. Mr. Clabaugh reported that he used three sources to confirm the acreage. The first resource was the York County Parcel Map that had the acreage at 8.07; the second resource was the surveyed sketch drawing that came with the application that estimated the acreage at 8.03; and the third resource was the deed that indicated acreage of 8.072. The Zoning Officer stated the Conditional Use Hearing for Linda and William Martin of 48 Hanover Street for Farmette Status on approximately 8 acres of land included a request for the habitat of six horses in a Residential Outlying Zone. (§198-55 of the Codified Ordinances) Under that section of the Jefferson Borough Zoning Ordinance the Conditional Use was permitted with adequate review by the Planning Commission, a public hearing, and, by the Planning Commission's request, a Manure Management Plan. The Zoning Officer stated that all requirements were met. President Stauffer asked the residents of 48 Hanover Street to introduce themselves and ask any questions they may have. Lisa and William Martin were in attendance with their two daughters. They introduced themselves and commented that they were excited to be part of the community. President Stauffer invited Council to comment. Council members discussed that six horses were allowed according to the Zoning Ordinance for an eight acre property. President Stauffer asked if there was any public comment or questions. Mr. Gary Boyer of 26 Hanover Street was present and asked to review the Manure Management Plan,

wondering if manure would be hauled from the property. No hauling was found to be necessary there being plenty of land available for processing the manure at a distance of greater than 100 feet from the property line; as the guidelines necessitate. Mr. Loeffler made a motion to accept the Conditional use on 48 Hanover Street for Farmette Status, allowing for six horses on eight acres of property. Mr. Heltzel seconded the motion. The motion passed with all yea votes.

V. Solicitor's Report

A. Delinquent Sewer Hook-Up Cases

Attorney Smith had discussed the sewer hook-up status of the Borough with the Sewer Authority Attorney Margret (Mieke) Driscoll. The fact that there are only six outstanding hook-ups in the Borough was considered an achievement by the Attorney, and he expressed as much to the Council.

1. 22 Berlin Street, 11/13 Berlin Street

The first consideration was concerning 22 Berlin Street, where Ms. Tina Martin resides. Ms. Martin had presented her situation to the Borough Council and the Council had inquired with the Solicitor on how best to proceed. The resident has signed a Hook-Up Fee Payment Program, has a permit waiting for her in the Zoning Officer's Office, and has been paying on that program for approximately one year without picking up her permit. The Solicitor suggested waiting one more month as some new information concerning the property had put the status of the property in question. Mr. Heltzel made a motion to wait until July to consider any action due to the current unknown status of the property. Mrs. Loeffler seconded the motion. The motion passed with 5 yea votes and one nay vote from President Stauffer. 11/13 Berlin Street, owned by Mr. Justin Zartman was permitted and he had been paying for sewer and the Hook-Up Fee Payment Program, though his sewer was not yet hooked-up. Mr. Zartman was currently waiting for the plumber as he was ready for his hook-up. Council would re-visit any outstanding issues with this address in July.

2. 6 Hanover Street, 8 Hanover Street, 22 Burns Road

These three properties are not hooked up to the sewer and are in various stages of selling. 6 Hanover Street is in the process of foreclosure, 8 Hanover Street is currently being shown and may have a buyer, and 22 Burns Road is currently owned by a bank and the property is now being handled by a realtor. 22 Burns Road has paid for the hook-up fee and permit, though flat rate fees have never been paid to the Sewer Authority. 22 Burns Road was scheduled for Sheriff's sale on June 10th. Full disclosure to the buyer has been requested by the Borough, and the Sheriff's office is well aware of the requirements. 8 Hanover Street has paid all flat rate fees for sewer maintenance, though no hook-up fee has been paid, nor has the property obtained the necessary permit for hook-up to the sewer system. 6 Hanover Street has not paid anything, or applied for any permitting. Council discussed that as these properties were in various stages of being sold that the Borough should continue to monitor each situation and keep open discussions with the new owners for facilitating the process of hook-up to the public sewer.

3. 22 York Street

The owners of 22 York Street live in West Virginia. They have not responded to any correspondence, certified or otherwise, concerning the hook-up to the public sewer. The taxes on the property are up-to-date. Attorney Smith informed Council that there was a process whereby the Zoning Officer could submit a citation to the local magistrate, and even though the magistrate will not deliver an out-of-state citation, there were procedures for paying for local justice systems to deliver the citation to the owners of 22 York Street in West Virginia. Mrs. Loeffler made a motion to watch the status of the three vacant properties in various stages of ownership and sale, while citing the owners of 22 York Street with the local magistrate to start the process. Mr. Heltzel seconded the motion. The motion passed with all yea votes.

B. Signs for Sidewalks on Hanover Street

The Solicitor and Zoning Officer referred to the Zoning Ordinance that states all sidewalks are the responsibility of the home owner. Placement of warning signs indicates a Borough responsibility. Due to the expense of the sidewalk repair, Council has tabled any offer to assist residents with the project until grant money may become available in the next grant cycle starting in 2014. A meeting with residents may be needed to approach the entire project. Council rejected the idea of warning signs.

C. No Smoking on Borough Property

The maintenance staff has brought a complaint to the Council concerning the cigarette debris left on the park area for clean-up. Attorney Smith recommended visiting the PA Department of Health website for a basic "No Smoking" kit for the property. The Borough has no Ordinance of their own, however, Attorney Smith commented that the 2008 Clean Air Act covers all public areas, and the playground is considered a recreational public area. While a no smoking rule is listed on the park sign, Attorney Smith explained to Council that an Ordinance would allow for the enforcement powers to cite people for smoking at the park, and that may have an effect on the larger population. Council felt more obvious signs would be a good first step to addressing the problem.

D. Door-to-Door Solicitation

Attorney Smith had reviewed the May minutes and asked that Council let him view any Ordinance they were considering for peddling and door-to-door solicitation. Attorney Smith explained that this type of Ordinance had many laws and guidelines to consider. Council had yet to decide if such an Ordinance was necessary in the Borough, but they would certainly pass any Ordinance to him for review.

E. One Way Street

The Solicitor also inquired about the One-Way street discussion on Emerson Street. Council discussed the need for the One-Way status of the street, as the bank had been shaved back and the sight distance had increased visibility since the signs were erected. The Engineer, Mr. Clabaugh, said that a traffic study would be necessary to remove the signs along Emerson Street. Mr. Loeffler inquired about the cost of a study and Mr. Clabaugh replied that he would estimate not much more than \$2,000.00, and probably less than that amount. Mr. Loeffler requested that the price of a traffic study for that one-way street be presented to Council in July.

VI. Engineer's Report

Mr. Clabaugh introduced Mr. Chris Toms of CS Davidson, Inc. Mr. Toms would be the new Borough Engineer for Jefferson Borough, as Mr. Clabaugh was moving to the Gettysburg Office more permanently.

A. Street Work

Mr. Clabaugh submitted a Bid Tabulation sheet to Council for the paving project # 0780.4.34.00. Three contractors submitted bids; Yohe Paving Inc. for \$23,244.74, Fitz & Smith, Inc. for \$24,237.31, and H&H General Excavating Inc. for \$24,447.26. Council discussed the particulars of the bids. Mr. Loeffler made a motion to accept Yohe Paving, Inc. as the contractor for the project at a price of \$23,244.74. Mrs. Ritz seconded the motion. The motion passed with all yeas votes. Mr. Toms would notify all contractors of the results of the bid and communicate with the Borough on the particulars of the project in the near future.

B. Reverse Subdivision/Betzel Plan

There had been a question concerning the labeling of the main Home/Office on the final plan. The plan is correct as it stands, as home must be placed on the residence due to the current zoning in which the building is located, with no zoning changes requested. Mr. Clabaugh reported to Council that the plan was ready for signature with the third note that references the paper street to the west of the property. Council members Dave Loeffler and Sam Heltzel signed the plans for submission.

C. CFR Development Tree Selection

CFR Development has submitted a picture and recommendation for use of the Kousa Dogwood in the corner development. This species would meet the needs of the Council's requests. Council agreed to accept the Kousa Dogwood as the landscaping tree for the corner development.

Mr. Clabaugh and Mr. Toms left the meeting at 8:23 p.m. Council thanked Mr. Clabaugh for his dedication and work in the Borough.

VII. Residents

No residents were present to speak to Council.

VIII. Treasurer’s Report

A. Treasurer’s Report 6/3/2013

The Secretary Treasurer submitted the expenses, deposits, and the budget versus actual report to Council. The Borough Funds were as follows;

Checking / Savings	01.100.000. General Fund	\$86,137.34	
	30.100.000. Capital Improvement Fund	\$43,347.75	
	05.100.000. Parks & Recreation Fund	\$65.85	
	35.100.000. Highway Fund	\$36,509.47	
	18.109.000. CD - Centennial Fund	\$7,395.82	
Total Checking / Savings		\$173,456.23	
Debt	HVAC Peoples Bank Loan	\$27,715.57	
	Roof & Gutter Loan Peoples Bank	\$62,397.14	
	DCED HVAC Loan	\$30,385.24	
Total Debt		\$120,497.95	
Total Assets		\$52,958.28	Mr.

Heltzel made a motion to accept the Treasurer’s Report. Mrs. Loeffler seconded the motion. The motion passed with all yea votes.

B. Community Progress Council

Council was given a copy of a letter from the Community Progress Council that informed the Borough of non-renewal of the contract to run the Head Start Program in the Borough Building as they have experienced termination of funds from the Federal Government. Council tabled the re-advertisement of the room until it is decided what type of business or charity would be appropriate for the space.

IX. Jefferson Codorus Joint Sewer Authority (JCJSA) Report

A. Sink Holes

President Stauffer informed Council that H& H did fix the two sink holes in the Borough. However the sink hole on Cherry Street was starting to sink again. President Stauffer explained to Council that he would bring the issue to the JCJSA during their next meeting.

X. Zoning Officer Report

A. Permits

Three permits were issued in the month of May for a new shed, use and occupancy for 3 Independence Ave., and for a geothermal unit installation. The total revenue was \$209.00.

B. Violations

The Zoning Officer submitted five violation notices for junk vehicles and four notices for weeds and trimming. The Zoning Officer also reported three more residences had hooked into the sewer, 50 Baltimore Street, 24 Burns Rd., and 56 Baltimore Street.

C. Fence Extension and Burning Complaints

The Secretary Treasurer provided Council with copies of letters that informed the residents at 49 York Street that open burning was prohibited on Sundays, and to residents at 42 Baltimore Street that a permit was necessary to erect a fence. Both residents responded to the letters. The residents at 47 York Street responded that they are cooking on a pit on Sunday evenings, and, according to the ordinance, cooking over an open flame is permissible. The residents at 42 Baltimore Street responded by explaining that due to the ordinance, no permit was sought because the cost of extending their fence was less than \$500.00. Both residents are, according to the ordinances, correct. No violations were sent for these issues.

XI. Mayor's Report

A. State Police Report

Four incidences were reported for April, and eleven incidences were reported for the month of May.

B. Mayor's Convention

Mayor Sanders brought the registration form to the Council meeting for approval to attend the Pennsylvania State Mayor's Association Annual Conference. The Secretary Treasurer would register Mr. Sanders for the Conference.

XII. Committee Reports

A. Building Property & Supply Committee Mr. Heltzel/ Chair Mr. Loeffler/Member

1. Maintenance List

A copy of the June 3, 2013 maintenance list was submitted for Council to review. Mr. Thoman had informed Council of his absence on the second week of June, and president Stauffer said he would cover removing trash from the park. Council requested that the restored cannon be cleaned in the Borough Circle.

2. Power Washer

Mr. Heltzel purchased a power washer for the Borough. Mr. Thoman would store the washer as needed.

3. Tractor Tire Repair

The Secretary Treasurer set up an account with Hanise Tire to have service on the tractor tire in house. Henise Tire was due to repair the tire the next day. It was uncertain whether a new rim was needed at this time. Hanise tire would assess the situation on Tuesday.

4. Posthole Digger

The Carnival Committee had approached Mr. Thoman about the possibility of using the tractor and posthole auger from the Borough shed for the Carnival preparations this year. Mrs. Loeffler made a motion to give the Carnival Committee use of the posthole auger and tractor for the drilling of holes for the Carnival posts. Mrs. Roser seconded the motion. The motion passed with all yea votes.

5. Stones in Shed

There were stones from the garage cement project that were removed from the base before cementing could take place. The stones were not needed for the Borough parking lot or any other drive area. Mr. Thoman expressed a willingness to purchase the stones. Mr. Heltzel made a motion to have Mr. Thoman haul away the debris of stones and keep them for a fee of \$25.00. Mr. Loeffler seconded the motion. The motion passed with all yea votes.

6. Parking Lot Holes

Mr. Heltzel will repair the holes as he is able this summer.

7. Bush Hog on Skid

Mr. Loeffler reported to Council that he and Mr. Thoman were able to get the bush hog to rest on a skid so that it could be moved throughout the shed.

8. Erlich

Mr. Loeffler reported that he and Mrs. Loeffler had opened the building for Erlich to service the building for pests.

9. Basement Window Sills

President Stauffer asked if the Building Property and Supply Committee would take a look at the basement window sills of the Borough building for severe rot. President Stauffer explained that contracted services to repair or replace the sills may be necessary.

B. Finance Committee –Mrs. Ritz/ Chair Mrs. Loeffler/Member

1. School Tax Collection

Due to the outcome of a court hearing with the school taxing authorities Darlene Stauffer would be collecting the taxes for the Spring Grove Area School District as a municipal employee for the 2013 year. New sitting dates will be advertised in the upcoming newsletter.

2. YATB

Minutes were available from the last YATB meeting for Council's review.

C. Light Water & Gas Committee – Mrs. Roser / Chair Mrs. Ritz / Member

No report.

D. Public Safety & Welfare Committee – Mrs. Loeffler/Chair Mrs. Roser/ Member

1. Fire Company

Mrs. Roser attended the Fire Company meeting and reported that the Fire Company was getting prices to fix the roof around the chimney area. Mrs. Roser also reported that the Fire Company wanted to represent themselves at the Codorus Blast, though the Blast communicated to the Fire Company that their presence was not necessary.

2. Emergency Operation Plan Cards

The Emergency Management Coordinator, Carlene Stough, issued cards to all Council Members for the EOP plan identification.

3. Post Office Hour Changes

Mrs. Loeffler told Council she complained to the Spring Grove Post Office Master about the recent changes to the Post Office hours and the lack of notification to the Borough about those changes. Council was concerned for the placement of post boxes for rural delivery. The boxes are located too close to the edge of the street, creating a possible hazard for snow plowing and drivers. The Council requested that the Secretary Treasurer create a letter for distribution to residents needing to place their boxes off the road the appropriate distance. Notification of proper post box placement would also be added to the next Newsletter.

E. Solid Waste & Sewer Committee – Mr. Ritz /Chair Mr. Heltzel/Member

1. Septic Violation

The Jefferson Borough Sewage Enforcement Officer, Mr. Douglas Stambaugh of GHI Engineers, reported to the Borough Office that the sewer tank on 19 Burns Road has been allowed because of a technical feasibility issue in moving the tank by the Department of Environmental Protection. The present location of the tank has now been approved as it cannot be moved into the drainage area further from the dwelling.

F. Streets & Sidewalks Committee – Mr. Loeffler/ Chair Mr. Ritz/ Member

1. Sidewalk Repairs

To address a temporary fix of the dangerous areas of the present sidewalk Mr. Heltzel and President Stauffer agreed to meet with Kingdom Concrete. The result will be reported to Council. A more permanent repair can be addressed by contacting one resident's property at a time to consolidate costs. The Streets & Sidewalks Committee will evaluate this possibility.

2. Borough Circle Flags

Council was given a copy of a list for holidays when the small flags should be set out on the circle. Council suggested that flags shall be placed in the circle three to four days prior to the holiday, and removed three to four days after the holiday, weather permitting. A copy of the list was to be submitted to the Maintenance Department for display in the Borough shed.

3. Walk-way Vinyl

The walk ways have now been redone with new vinyl. Council requested that the Secretary Treasurer send a thank you note with the bill remittance to Spring Grove Borough for the vinyl walkway work.

G. Web Site Committee – Mr. Jon Ritz/ Chair

The new website is up and running. The Secretary Treasurer, Sewer Authority Office Manager, and Fire Company Secretary will be manipulating and fine tuning the site in weeks to come.

XIII. New Business

A. Carnival Police Coverage

Council was given a copy of Resolution 2013-3, Carnival Police Coverage. Mr. Loeffler made a motion to adopt the Resolution 2013-3. Mrs. Ritz seconded the motion. The motion passed with all yea votes. A copy of the resolution would be forwarded to the Southwest Regional Police Department.

B. York County Hazard Mitigation Plan Up-Date Resolution 2013-4

Mrs. Loeffler made a motion to adopt Resolution 2013-4. Mrs. Ritz seconded the motion. The motion passed with all yea votes. The Secretary Treasurer would forward a copy of the resolution to the York County Emergency Management secretary.

C. Borough Rental Lot Surveillance

Council discussed concerns that the recent theft on the Borough Lot may continue if not monitored. The Secretary Treasurer was to inquire about surveillance options with the Zoning Officer.

D. Jake Brakes/ Letter to Bopst

Council reviewed the letter submitted by the Secretary Treasurer to send to Charles L. Bopst Trucking, Inc. President Stauffer asked the Secretary Treasurer to change the wording to reflect the size of the trailers allowed and not allowed in the Borough.

XIV. Old Business

A. Borough Project Spreadsheet

The Secretary Treasurer would need to add the basement window sills to the Project list.

B. South Emerson Street

Please refer to Solicitor's report.

XV. Communication

A. PSAB Up-Date/ Training

B. YCBA Summer Picnic-June 27

Council relied with the following attendees to the picnic; Marlyn and Darlene Stauffer, Anne Loeffler, Jim Sanders and possibly Jennifer and Jon Ritz. The Secretary Treasurer would register the members. Council requested that the Secretary Treasurer invite one or two Fire Company Members as well.

C. Thank You Senator Waugh/Flag Donations

D. Emerald Ash Borer Workshop June 24th

E. Fire Police Assistance Letter/Copy- Carnival Fire Police Response/West Manheim

F. DEP Asbestos Removal Requirements Communication

G. YCPC Annual Report/Available in Office

XVI. Adjournment

President Stauffer asked if there was anything else for the good of the Borough. Hearing none he called for the adjournment of the meeting. Mr. Loeffler made a motion to adjourn the meeting at 10:09 p.m. Mr. Heltzel seconded the motion. The motion passed with all yea votes.

Respectfully Submitted,

Deborah Corbin
Recording Secretary
Jefferson Borough