

Jefferson Borough, York County, Pennsylvania

Meeting Minutes for August 5, 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 Chris Toms

Absent

Councilman Dave Ritz
Attorney Glenn Smith

I. Pledge to the Flag

President Stauffer led the August 5, 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 July 1, 2013 regular meeting minutes. Mrs. Roser made a motion to adopt the meeting minutes with two corrections; the change of the spelling of *Tress* to *Trees* under XIII. C., and to change the wording under XII. D. 3.; *repaired the brush truck to that they were considering the repair of the brush truck.* Mr. Loeffler seconded the motion. The motion passed with all yeas votes.

III. Planning Commission Report

Mr. Eiben reported that the Planning Commission met on July 17th to discuss a Conditional Use application for 28 Highland Avenue for four horses on a 6.6 acre property in the residential outlying zone; rendering the property to have "Farmette" status as per the Zoning Chapter in the Codification of Ordinances Section 198-55. In attendance were the four Members of the Planning Commission, the applicant Mr. Gregory Hayes, and three residents; Aimee Stewart, David Dietz and Deb Bush. The Planning Commission found the application to be complete. The fencing, barn placement, and number of animals per acreage size were found to be in compliance with the Code. The Commission requested that the owners have a Manure Plan available for Council, though the placement for the manure was in compliance with the Code. Resident concerns were; would the tree line be disturbed to place the fence, would the manure be handled without excessive smell to the surrounding properties, and would there be any additional animals housed on the property. Mr. Hayes responded that the tree line would not be disturbed, there were to be no other farm animals, though pets may be obtained. The Planning Commission requested Mr. Hayes present a manure plan at the Hearing, though the placement of the manure on the plan was well within Code regulations. Mr. Eiben reported that the Planning Commission voted to recommend the approval of the Conditional Use to the Borough Council.

IV. Conditional Use Hearing

President Stauffer commenced the start of the Conditional use Hearing at 7:04 p.m. President Stauffer announced the basic parameters of the Conditional Use Application. A copy was available in the Council's packet for review. President Stauffer opened the floor to discussion. Mr. Hayes and Ms. Karl presented Council with a temporary Manure plan that entailed the hauling of manure until a proper composting area and equipment were designed. President Stauffer expressed concern about the presence of the electric fence in a residential area. The applicants commented that the horses would be kept safely in the pasture with a pulsating electric fence, that loose horses can also present a problem in residential area, and that the fence would be located 300 feet from any house and six feet away from the telephone poles. President Stauffer felt that there was a regulation in the Zoning Ordinance that prohibited electrical fencing in a residential area. Mrs. Loeffler made a motion to accept the Conditional Use application with the condition that a one-week investigation into the lawful use of an electric fence is made, and that if the fence was found to be unlawful a different fencing would be erected by the applicants. Mrs. Ritz seconded the motion. The motion passed with all yeas votes. The hearing officially ended at 7:32 p.m.

V. Solicitor's Report

A. Sewer Ordinance Consistency

President Stauffer announced to Council that the Amendment to our Ordinance was being reviewed by C. S. Davidson Company, Inc. Mr. Toms was present during a meeting with John Klinedinst, representing the Sewer Authority, Jeff Shue, representing Codorus Township, and himself, representing the Borough, to review the Sewer Ordinance Amendment. It was decided that the inspections would remain the same, using MDIA's employee Ed Strevig for Borough inspections, and that the existing Ordinance would stay the same with only the technical specifications referring to the Jefferson Codorus Joint Sewer Authority's Resolution 2013-2. Mr. Toms reported that now that the details of the redaction of the Jefferson Borough Sewer Ordinance have been reviewed, Attorney Smith would create the Ordinance Amendment necessary for the Borough. The Amendment may be ready as soon as the September 3, 2013 meeting.

B. Nextel Collection

Attorney Smith had written a letter to Council stating that the charges on the Zoning Hearing costs to Nextel had some line items that were not redeemable by the Borough. A copy of the letter was available in Council packets for review. President Stauffer explained to Council that the initial bill was based on a verbal agreement between the Nextel representative and the Borough. The Secretary Treasurer was to create a new invoice for the Solicitor to submit for payment to Nextel.

C. Betzel Letter

Attorney Smith submitted a copy of the letter CGA Law Firm issued to Mr. Betzel concerning the collection of the expenses incurred by the Borough for the Betzel reverse subdivision plan. President Stauffer suggested that the Betzel's be given thirty days to make payment to the Borough.

D. Sign Policy

President Stauffer informed Council that several entities had contacted the Borough regarding placing advertisements for community functions in the Borough circle. The concern of the Council was that each entity should be responsible for taking down the signs as they were no longer needed. A representative for Trinity Lutheran Church, Miss LeVault, was present to request advertising for the Community Dinners held once monthly in the Church. Council temporarily agreed to the placing the signs three to four days prior to the event and removing the sign each month directly after the event. Council would inquire with the Solicitor about a policy that would formalize the process of community organizations advertising on the Borough square.

VI. Engineer's Report

A. Street Work

Mr. Toms announced that work on Locust and Emerson Street was scheduled to commence between the ninth and the sixteenth of September. The sixteenth of September is the last available start date according to contract.

B. CFR Corner Development

Mr. Toms explained to Council that work had commenced on the Borough square on the northeast corner. Mr. Toms was monitoring the development and set up a meeting with CFR Development.

C. Emerson Street Traffic Study

Mr. Toms could not find a traffic study for the Borough to review, but did say there were references to the study he would follow through and contact the Secretary Treasurer with any information he might find.

D. Five-Year Comprehensive Plan

Mr. Toms reported that he had spoken with President Stauffer regarding the new Road Maintenance Planning Software. The software would be introduced to the Secretary Treasurer and to the Committee involved in street work for an 'in-Borough' annual analysis of the Borough's street conditions. The database could also be located on a web for home access by Council Committee members. More specific training and dates were to be set in the fall.

Mr. Toms left the meeting at 7:51 p.m.

VII. Residents

A. Mrs. Yingling of York Street

Mrs. Yingling wrote a letter of complaint to the Council and sent the letter via e-mail regarding the private property behind 42 Baltimore Street. A copy of the letter was given to Council for review. Mrs. Yingling was not present for the meeting. Council discussed the request to place a warning in the Borough Newsletter regarding the traverse behind the house to the Borough Park. Council decided that while a general request for residents to avoid walking on private property was appropriate, singling out one property was not appropriate. The property is private property, and despite the use of the property to access the park by residents in the past, it was not a requirement for the owner to further post or allow for trespassing. The Secretary Treasurer would place a general note in the fall Jefferson Borough News.

VIII. Treasurer’s Report

A. Treasurer’s Report 8/5/2013

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	\$71,381.76
	30.100.000. Capital Improvement Fund	\$43,376.73
	05.100.000. Parks & Recreation Fund	\$65.87
	35.100.000. Highway Fund	\$36,533.88
	18.109.000. CD - Centennial Fund	\$7,409.30
Total Checking / Savings		\$158,767.54

Debt	HVAC Peoples Bank Loan	\$26,649.02
	Roof & Gutter Loan Peoples Bank	\$60,793.58
	DCED HVAC Loan	\$30,385.24
Total Debt		\$117,827.84
Total Assets		\$40,939.70

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

B. Budget Forms

The Secretary Treasurer provided Council Committee Chairs with blank budget forms containing line items that pertained to their committee. Council inquired about the budget amounts for 2013 for comparison. The Secretary Treasurer pointed Council to the Budget vs. Actual report in their Treasurer Reports for that information.

IX. Jefferson Codorus Joint Sewer Authority (JCJSA) Report

A. Sewer Authority Plumbing Code Resolution 2013-2

Council was given a copy of the JCJSA Resolution 2013-2 that contains all pertinent technical requirements for sewer connection. This is the resolution that the Borough Sewer Ordinance Amendment will refer to in the future.

B. JCJSA Street Cutting Permit

President Stauffer explained to Council that the JCJSA had applied for a street cutting permit to repair Cherry Street when the sink hole on Starlite was discovered to be a Sewer Authority issue. Both sink holes were repaired at the same time. The sink hole on Cherry Street then began to sink again. The Sewer Authority Engineer has assessed the issue and it is the opinion of the engineer to allow for the sink hole to be monitored as there seems to be more sinking to occur. Thus, the Cherry Street issue will be monitored for continued repair until the underground space is eliminated which is causing the sinking. President Stauffer requested that Council consider the street cutting permit applied for to be applied to both street issues, and to eliminate a second, redundant permit. Mr. Loeffler made a motion to allow for

The Cherry St. street cutting permit application to be applied toward both sink holes since they were repaired at the same time. Mr. Heltzel seconded the motion. The motion passed with all yea votes.

C. PA One Call Storm Drain Marking

The Pennsylvania One Call reporting system has informed the Borough that the Borough is responsible for marking storm drains in their municipality, otherwise, if a drain is damaged, it will not be the responsibility of the developer to repair. As the Borough has no road crew, the responsibility for marking drains would come from the office notification to the part-time Maintenance crew. As the JCJSA is in the process of possibly contracting a separate entity to handle the sewer plant operations, including emergency calls & manhole maintenance, the Borough may be able to have the new contracted entity mark storm drains at the same time sewer lines are marked. Both marks are done in green paint for the developer. At this time C.S. Davidson is responsible for marking the Sewer Authority sewer lines. Council may want to consider approaching C.S. Davidson about marking storm drains at the same time.

X. Zoning Officer Report

A. Permits

Four permits were issued in the month of July for the townhouse development on the corner, the street cutting permit for the Sewer Authority, and demolition and manure bin projects for residents for total revenue of \$890.00.

B. Violations

The Zoning Officer sent notices to three properties for trees and mowing, one property for a pool that had no permit, and one property for a camper improperly parked.

XI. Mayor's Report

A. State Police Report

The June incident report included 10 incidents. The July incident report had not been submitted.

B. Pennsylvania State Mayors Association Conference

Mayor Sanders reported that much to his disappointment he was unable to attend the conference due to health problems. PSMA returned all registration fees, and the hotel reservations were cancelled without penalty.

XII. Committee Reports

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

1. Maintenance List

Mr. Loeffler requested that the Maintenance List include the cleaning of storm drains on Baltimore Street above the Borough Building.

2. Winter Barrels

Council discussed the advantages and disadvantages of the winter cinder barrels. It was difficult to find young volunteers to help set the cinder barrels in place, and two barrels needed replacement immediately, though the barrels had proven difficult to obtain with the tops still intact for conversion to cinder barrels. If no barrels were used it would be the diligent effort of the Maintenance staff to spread cinders in the early mornings to address overnight freezing of roadways, especially the hilly areas. Council agreed to table the issue to discuss the options depending on the possibilities of obtaining barrels. The item was also requested to be placed on the Autumn Newsletter to get the public feedback on the need for barrels.

3. Cannon Transportation

Mr. Heltzel offered to work with Mr. Loeffler on the 13th or the 21st of July to remove the cannon from the Borough circle and place in a secure location. The Council suggested placing a notification of the removal of the cannon in the Borough Newsletter.

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

Mrs. Ritz reminded Council to prepare for the August 20th budget meeting at 7:00 p.m. in the Borough Council Office.

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. CAD Radio System

Council was given a copy of the CAD Radio System training alert for the 911 Enterprise Upgrade Project. Information would be delivered to the Borough in the coming weeks outlining specifics. The Council felt the Fire Company was the entity that should be responsible for attending the upcoming training.

2. Fire Company

No Fire Company meeting was held as the Carnival was in progress.

3. Evacuation Plan

Mrs. Loeffler expressed interest in having the paperwork completed sent electronically to her for revision. The promulgation of the Evacuation Plan would be done with the Emergency Operations Plan in February of 2014. The Fire Chief, Mr. Troy Snyder was in possession of the lock box to be affixed to the Borough building. Letters requesting keys and asking for signatures on the Evacuation Plan sites were necessary to complete the lock boxes.

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

No Report.

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

1. Complimentary Banner Hanging

The Secretary Treasurer reported that a call was received by her from Comcast that the complimentary service of banner hanging was being eliminated due to liability issues. Mrs. Roser offered to call Met Ed to discover what the protocol for municipalities hiring people to attach banners to electric poles that belonged to them should entail.

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

Mr. Jon Ritz reported that he would attend to the web site one more time before leaving for college. The Council wished Mr. Jon Ritz the best of luck in his new adventures, and thanked him for his years of service as Jr. Council Member in the Borough.

XIII. New Business

A. Animal Control Services

The Council had a copy of a letter from Joyce Hemler from Hemler Animal Control Service stating that she was terminating her business at the end of the 2013 year and retiring. At the bottom of the letter were three references for replacement animal control services. Only one of the three had written the Borough and provided a proposal for replacement animal control services. Michelle Klugh wrote to the Borough and included a contract for animal services to the Borough. Michelle Klugh states in her letter that she had worked with Terry and Joyce Hemler for many years. The letter also committed to keeping the same price for services as the Hemler contract of 2013 for her 2014 services. Mrs. Loeffler made a motion to sign the contract with Michelle Klugh for animal services during the 2014 year. Mrs. Ritz seconded the motion. The motion passed with all yea votes.

B. Secretary Treasurer Resignation

The Secretary Treasurer submitted a letter to each Council member resigning her position due to a new job and relocation to that job. The Secretary Treasurer would be available to train the newly hired Secretary Treasurer as needed throughout the following weeks on Saturdays. President Stauffer thanked the Secretary Treasurer for her years of service and wished her luck in her new pursuits. Mr. Loeffler made a motion to accept the resignation of the Secretary Treasurer, Deborah Jean Corbin, from her appointment as Secretary Treasurer effective August 15, 2013. Mr. Heltzel seconded the motion. The motion passed with all yea votes. President Stauffer had chosen a Committee comprised of Mr. Loeffler, Mrs. Roser, and himself to interview the seven applicants that had submitted resumes for the position.

C. Cannon Insurance

The Secretary Treasurer inquired with Council about the appraised value of the cannon for proper insurance information. Council discussed that they understood the cannon to be valued somewhere between \$65,000.00 and \$85,000.00. The Secretary Treasurer would contact the Insurance agent to ensure the cannon would be properly insured. President Stauffer also informed Council that the WWI French Artillery gun that was restored in 2009 was starting to rust. Mr. Stauffer would call Mr. George Bailey of Ordinance Works to inquire whether the gun was under warranty.

D. Fire Police Request

The Leo Independent Fire Engine Company wrote to the Borough to request Fire Police Assistance for their August 17th, 2013 York County Fire Convention Parade. Mrs. Ritz made a motion to accept the request and inform the Fire Police Captain, Mr. Wayne Lehr, that Fire Police assistance was granted. Mrs. Roser seconded the motion. The motion passed with all yea votes. The Secretary Treasurer would write to Mr. Lehr concerning the motion.

XIII. Old Business

A. Room for Rent

Council discussed the proposition of advertising the room for rent in a local newspaper. The Council felt it would be wise to consult Attorney Smith regarding fair practices for advertising and leasing the space. The item would be placed on the agenda for the September 3rd meeting.

B. Parade Permit Letter/ Parade Insurance

The Secretary Treasurer contacted Kocman Insurance and discovered that the parade would be insured under the General Liability coverage already provided to the Borough. There would be no additional cost to Borough insurance for parade coverage. Ninety days prior to the Memorial Day Parade the Parade Committee would contact the Borough Office to send a Certificate of Liability to Penn DOT to accompany the Parade Committee's Special Event Application. The Secretary Treasurer will call Kocman Insurance Company and they will provide the Certificate of Liability directly to PennDOT for the Borough and Parade Committee.

C. 22 Berlin/Sewer Hook-Up

Tina Martin contacted the Borough Office in response to the letter of inquiry sent to her in July. Ms. Martin reported to the Secretary Treasurer that she had been granted a loan modification and was in full ownership of her house. She also informed the Borough that she was currently not eligible for the York County Planning Commission's Sewer Hook-Up Program due to the other adult income in her household. Ms. Martin understands that if she becomes eligible due to the expected exodus of said adult that she can re-apply to York County for assistance. Council discussed the case and agreed to hand the case over into Attorney Smith's hands.

XV. Communication

A. PSAB Up-Date/ Training / Webinars

B. Pen DOT Dot Grants Training

C. Kudos to Jr. Council Member Jon Ritz

D. Engineering and Traffic Studies- Allentown-8/20 & Warm Mix Asphalt-Harrisburg 8/19

E. Borough News Articles

F. Pipeline Safety-available upon request

G. York County Conservation District- Hills at Valley View- Earth Disturbance/in Office

XVI. Executive Session

The Executive Session started at 9:02 p.m. and ended at 9:17 p.m. and concerned personnel issues.

XVII. 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. Heltzel made a motion to adjourn the meeting at 9:20 p.m. Mrs. Loeffler seconded the motion. The motion passed with all yea votes.

Respectfully Submitted,

Deborah Corbin
Recording Secretary / Jefferson Borough