

Jefferson Borough, York County, Pennsylvania

Meeting Minutes for October 1, 2012

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

Absent

Attorney Glenn Smith
Councilman Dave Ritz

I. Pledge to the Flag

President Stauffer led the October 1, 2012 Jefferson Borough Council Meeting with the pledge to the flag of the United States of America at 7:01 p.m.

II. Minutes

President Stauffer asked Council to review the September 4, 2012 regular meeting minutes. Mr. Loeffler made changes to XV Adjournment, B. Lion's Club Announcements to read the events correctly as follows;

Mr. Loeffler announced that the Lion's Club would hold its District 14C Oktoberfest at the Volunteer Fire Company Fire Hall. Additionally, he announced that the Lion's Club would hold the Chicken BBQ on September 30th with presale tickets. Mr. Loeffler had tickets if anyone was interested. Finally, Mr. Loeffler announced that the Ladies Auxiliary was holding a breakfast fundraiser on September 28th.

Mr. Loeffler made a motion to adopt the September 4, 2012 meeting minutes with the above changes. Mrs. Loeffler seconded the motion. The motion passed unanimously.

III. Budget Meeting Minutes

Council received a copy of the September 18, 2012 Budget meeting Minutes for review. Mr. Loeffler made a motion to adopt the September 18, 2012 minutes. Mrs. Loeffler seconded the motion. The motion passed unanimously.

IV. Planning Commission Report

Mr. Eiben was present to explain that no Planning Commission meeting had been held due to the absence of agenda items. He informed Council that the Commission had not forgotten about the light ordinance that was submitted to the Planning Commission for review. Mr. Eiben suggested to Council that they bundle any Ordinance changes together for cost effectiveness in 2013. The Municipal Planning Code guidelines would need to be followed for the new light ordinance, as well as submission to the Planning Commission. Mr. Clabaugh mentioned that the way this issue was presented goes back to providing a way for new developments to take responsibility for street lighting by using lawn lamps. The Secretary also explained that other lighting issues need to be addressed such as downtown lighting. Mr. Eiben requested an electronic copy of the lighting ordinance that Mr. Carl Graybill had forwarded for the Light Water & Gas Committee as a revisable document.

IV. Solicitor's Report

A. 39/41 Baltimore Street

Attorney Smith forwarded a copy of the letter from the Betzel's lawyer, Richard K. Konkel of CGA Law Firm, to the Sewer Authority's lawyer, Margaret W. Driscoll, Esq., of CGA Law Firm, for Council to review. President Stauffer addressed Council regarding the 39/41 Baltimore Street issue. He had a talk with Attorney Smith concerning the fact that all three parties concerned are represented by the same law firm. President Stauffer said Attorney Smith understands the difficulty and will take necessary steps to properly represent the Borough's interests. President Stauffer informed Council that the hook-up to an improved property is a Borough issue, and hook-up fees are a Sewer Authority issue. Additionally, as the properties stand now, there is one hook-up servicing two properties. This is called grouping.

There was no request to the Borough for grouping from the owners of 39/41 Baltimore Street. The Council requested that the Secretary write a letter to the Betzels requesting grouping of the two properties. The other solution would be to have the Betzel's reverse subdivide the parcels to form one lot, in which case no grouping request or additional hook-up fees or monthly charges would apply to the property. The Borough will continue to communicate with the Betzels regarding the issue.

B. Refuse Contract Bidding

Attorney Glenn Smith informed President Stauffer and the office that the current extension of our Penn Waste Contract was invalid according to new case law that had been finalized in the spring of 2012. Attorney Smith was working with his firm to provide the Borough with a new advertisement and specifications for a new contract bid. Mr. Loeffler made a motion to go out for bid for refuse removal service in the Borough keeping all current aspects of service the same. Mrs. Loeffler seconded the motion. The motion passed with all yeah votes.

V. Engineer's Report

A. Sidewalk Repair

Mr. Clabaugh provided Council with an updated schematic of the sidewalk repair for Hanover Street that included the area from Emerson St. past the Methodist Church. The estimate came to \$85,737.60. Mr. Clabaugh believes that a CDBG Grant (Community Development Block Grant) would cover 75% of the project if the Borough funds 25% of the project. The next grant cycle would be a submission in early 2014 for the 2015/16/17 grant cycle. Mr. Loeffler expressed that because this project could be considered a continuation project there may be a greater eligibility for funding. Council decided to proceed to address this project during the 2013 budget meetings.

B. Review of Five Year Street Repair Plan

Council received a copy of the revised five-year street repair plan from Mr. Clabaugh. Mr. Clabaugh was able to adjust the 2013 balance to approximate the 2012 and 2013 Liquid Fuels Fund to be \$32,000.00. No work was slated for the good or fair categories, and approximately \$20,670.00 was slated for street repair in the poor category. Mr. Clabaugh advised Council to consider spending some of the remaining \$11,000.00 in the total Fund for micro surfacing fair streets that would spread the budget on repairing those streets for several more years. Council would re-visit this scenario during the February and March meetings of 2013. Mr. Loeffler was particularly concerned for the section of Monticello from Berlin Street to Cherry Street. He suggested that section should receive some preservation or re-surfacing of some kind next year. Mr. Clabaugh agreed that the 5-year plan could be adjusted as the Borough needed to attend to streets that had become compromised in any way over the winter.

VI. Residents

A. Mr. Frank Thomas of Starlite Drive

Mr. Thomas approached the Borough Office to file a verbal complaint about water run-off in his yard. He felt that the re-working of the streets from the sewer project to become crowned streets instead of concave streets had directed water from Highland Avenue, down heading north on Lakeview Drive, and dumped large amounts of water onto 4 Lakeview that went from that property through the back yard sloping west into his property. President Stauffer estimated that the water traveled approximately 75 feet of pervious surface before coming to his property on 7 Starlite. Mr. Thomas reported that the Sewer Authority Engineer Jeff Shue of C.S. Davidson, Inc. had reviewed Mr. Thomas' claim during the complaint period of the sewer project Act 537 installation and found the claim not to warrant action by the Sewer Authority. President Stauffer went to look at the property from the street at 7 Starlite and could not see running or standing water after a rainstorm. President Stauffer invited Council to view the area as best as possible without going onto Mr. Thomas' property. President Stauffer felt that Mr. Thomas would need to represent himself in Council in order to have the Borough take action of any sort, whether by employing the Engineer or Zoning Officer to review the water flow issues or requiring the neighbor to install storm water precautions.

Mr. Clabaugh left the meeting at 8:02 p.m.

VII. Treasurer's Report**A. Treasurer's Report 10/1/2012**

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	\$87,738.57
30.100.000. Capital Improvement Fund	\$12,799.89
05.100.000. Parks & Recreation Fund	\$65.77
35.100.000. Highway Fund	\$19,387.77
18.109.000. CD - Centennial Fund	\$7,342.66
Total Checking / Savings	\$127,334.66

Debt

HVAC Peoples Bank Loan	\$31,893.65
Roof & Gutter Loan Peoples Bank	\$68,753.56
DCED HVAC Loan	\$31,688.75
Total Debt	\$132,335.96

Total Assets **-\$5,001.30**

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

B. Proposed Budget

The Secretary Treasurer submitted the Proposed Budget for Council to review. The tax rate of 4.200 mills was stable from the previous year, with the total revenue and expenditure operating budget balancing at \$236,965.00 (two hundred thirty-six thousand nine hundred sixty-five dollars). Mrs. Loeffler made a motion to adopt and advertise the Proposed Budget. Mr. Loeffler seconded the motion. The motion passed with all yeah votes. The Proposed Budget would be advertised and set in the Borough Office for public review.

VIII. Jefferson Codorus Joint Sewer Authority (JCJSA) Report**A. Open House Fire Police Coverage**

President Stauffer announced that there was no Fire Police coverage at the Open House, though it was fairly well attended, and no traffic issues occurred. The Borough had sent an official request in writing and received a verbal confirmation from the Fire Chief, though the attendance of Fire Police did not occur. The Open House was a success and the event occurred without incident.

B. Sewer Hook-Ups

The Secretary Treasurer submitted a list to the Borough Council of all residences not hooked into the sewer. Eleven residences had permits and had paid the hook-up fee of \$1,500.00 to the Sewer Authority, or were participating in the payment program, while seven residences had not complied with the Sewer Ordinance at all. Every residence on the list was to receive an Attorney's letter to comply with the Ordinance within 30-days or face submission of their names to the District Court.

IX. Zoning Officer Report**A. Permits**

Two permits were issued in September, totaling \$354.00.

B. Violations

The District Court Judge extended the garage clean-up time 90 days for 9 Hanover Street. The back wall must be removed as the wall was not structurally sound for rebuilding. The junk vehicle at 56 Baltimore Street was non-responsive and moving into a citation filing. 48 Hanover Street received a notice for grass and weeds, and 6 and 8 Highland Ave. were in process of receiving notices for tree trimming along Starlite Dr., as well as 6 & 7 Hanover Street receiving notices for trimming of trees and bushes along Spruce Street. 2 Berlin received a notice to renew a proper permit before garage construction, and 18 Berlin was notified concerning water run-off damage to Jefferson Ave. near Spruce

Street from the barn gutter on that property. Council also requested that the Zoning Officer check weeds at 22 York Street. The sink hole on that property had been filled in.

X. Mayor's Report

No State Police report had been submitted to the Borough due to the meeting occurring so early in the month. Mayor Sanders had no additional report.

XI. Committee Reports

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

President Stauffer announced to Council that Mr. Thoman had been hospitalized for issues outside the realm of his Borough employment and was temporarily unable to work.

1. Maintenance List

A copy of the maintenance list was submitted for Council to review. President Stauffer informed the Council that the grass clippings had been removed from the gutter at Cedar Street. No further additions were made to the list.

2. Flags and Brackets

Mrs. Roser said she had difficulty repairing the flags with any stapling device. Mr. Loeffler suggested wood glue and Mrs. Roser said she would try to glue to flags back onto the posts. The Secretary Treasurer had priced the tri-flag brackets at Quinn's in Hanover and they were \$4.00 a piece. President Stauffer said they were cheaper at Shepard Aluminum and he would purchase the additional brackets for the Borough. The Secretary Treasurer was to order two-dozen flags from Quinn's in Hanover.

3. Power Washer

Mr. Heltzel was in process of purchasing the power washer.

4. Garage Cement Project

President Stauffer got a verbal estimate from Hanover Building to complete the cementing of the garage floor at \$6.00 per square foot. This estimate came to approximately \$3,840.00 for the entire job. President Stauffer, Mr. Loeffler, and Mr. Heltzel set a time for meeting Saturday morning to cut the metal divider between the two halves of the garage in preparation for the cement work. The Borough was waiting for an estimate from another party to compare for the cement work.

5. Borough Parking Lot

President Stauffer reported that Recon had given a rough estimate to rough-up the parking lot surface to prepare for repaving at approximately \$15,000.00.

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

No report. A copy of the YATB Board of Director's Meeting draft minutes was provided for Council to 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. Post Office Meeting

President Stauffer asked that Council members respond to the Borough's post office availability survey so that the Secretary Treasurer could respond on behalf of the municipal office. Council discussed that the timing of the meeting on Halloween night was difficult, and perhaps a request to change the date could be made.

2. Fire Company Meeting

Mrs. Loeffler reported to Council on the Fire Company financial report. The Fire Company made approximately fourteen thousand dollars from the Carnival and twenty-five thousand eight hundred dollars made from solicitation in 2012. H& H had not commenced the parking lot work but was scheduled to do so starting October 8th, with an estimated finish date of October 11th. The siren had been repaired and the Fire Company was looking to purchase a new imaging camera. There was discussion over truck maintenance and back-round check for new members.

3. Workman's Compensation Insurance

President Stauffer reported to Council that a new law providing for the insurance coverage of past volunteer firefighters' illnesses due to inhalation of carcinogenic material while in the service of a fire company may affect the Borough's coverage by our Insurance Company. Spring Grove Borough was informed that they had to drop the coverage of Workman's Compensation Insurance for the Fire Company and Ambulance service. Jefferson Borough may or may not experience the same issues. The Secretary Treasurer was to communicate with our insurance provider to gather information on our coverage.

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

1. 20 York Street

A copy of the letter the Sewage Enforcement Officer had submitted to 20 York Street and the follow-up e-mail was available to Council for review. According to the Sewage Enforcement Officer, Douglas Stambaugh, the problem had been corrected and the wash water had been properly conveyed to the public sewer system.

2. Penn Waste E-mail Address Request

The Secretary Treasurer had received an inquiry from a representative of Penn Waste on whether to send information via e-mail to Council members in the Borough. Council members unanimously denied access of e-mail addresses to Penn Waste representatives, and requested pertinent information to be forwarded by the Borough Office.

3. Penn Waste Discontinued Service List

The current Penn Waste service contract allows for up to ten residences or businesses to be removed or added to the service list. The question was whether to remove contractual obligation for service payment to those properties in foreclosure. As our Ordinance stands, an abandoned property's unpaid contractual service can be collected upon by Penn Waste. The businesses listed in the exempt category of the contract are still obligated to have independent refuse removal. The Borough would inquire about industry standards with the Solicitor.

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

1. Snow Removal Contracts/ Mowing Contract

The Secretary Treasurer provided Heavy Snow Removal Contracts for Council to review. The primary snow removal contract belonged to Mr. Fred Brokenshire, with a secondary back-up heavy Snow Removal contract belonging to Mr. Wilson Heltzel. Mr. Loeffler made a motion to proceed with both contracts for the 2012-2013 snow removal seasons. Mrs. Ritz seconded the motion. The motion passed with one recused vote from Mr. Wilson Heltzel due to his involvement as a contractor, and all other yeah votes.

2. Mowing Contract

The Secretary provided a copy of the mowing contract that was agreed upon in 2011 and will last two years through the mowing season of 2013.

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

No report.

XII. New Business

A. Newsletter with Penn waste Attachment

Council agreed to attach Penn Waste's flyer to the Jefferson Borough Autumn Newsletter. The newsletter was to be published within the first week of October.

B. Hemler Contract

The Secretary Treasurer gave Council a copy of the Hemler contract as submitted by Hemler Animal Control for 2013. All fees and procedures remained the same as in 2012. Mrs. Ritz made a motion to accept the Hemler Animal Control Contract for 2013. Mrs. Loeffler seconded the motion. The motion passed with all yeah votes.

C. House Keeping Contract

The Secretary Treasurer provided Council with a copy of the 2013 House Keeping contract for Mrs. Gladys Shepp. The new contract reflected the increase in hourly wage provided for in the 2013 budget. The new wage was set for \$12.90 an hour with a total monthly allotment of 12 (twelve) hours. Mr. Heltzel made a motion to accept the 2013 Housekeeping Contract for Gladys Shepp. Mrs. Ritz seconded the motion. The motion passed with all yeah votes.

XIII. Old Business

A. HB 823/ School District Development Impact Submission

The Secretary Treasurer reported that she was in the process of developing a form to submit to the Superintendent's Office of the Spring Grove Area School District to comply with the new legislation. The additional duty had also been added to the list of responsibilities in the formal Secretary/ Treasurer job description.

B. YCBA November 10th Meeting

The Secretary Treasurer was asked to RSVP to Jean Firestone of the York County Borough's Association for the November 10 Annual Banquet. President Stauffer and his wife, Mayor Sanders, and the Ritz family all wished to attend.

XIV. Communication

A. PSAB Up-Date & Training

B. YCPC Meeting Minutes

C. Mosquito Surveillance Report

D. YCSW&RA 2013 Budget Findings

E. PA One Call candidate nominations

F. Illicit Discharge Detection/Stormwater Phase II

XV. Adjournment

Mr. Heltzel made a motion to adjourn the meeting at 9.17 p.m. Mrs. Loeffler seconded the motion. The motion passed with all yea votes.

Respectfully Submitted,

Deborah Corbin
Recording Secretary
Jefferson Borough