

Jefferson Borough, York County, Pennsylvania

Meeting Minutes for June 4, 2012

Present

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

Also Present

Secretary Treasurer Deborah Corbin
Engineer Chad Clabaugh
Attorney Glenn Smith

Absent

Councilman Wilson Heltzel

I. Pledge to the Flag

President Stauffer led the June 4, 2012 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 7, 2012 regular meeting minutes. Mr. Loeffler made a motion to adopt the May 7, 2012 minutes. Mrs. Loeffler seconded the motion. The motion passed unanimously.

III. Planning Commission Report

A. Nextel Tower Waivers

Mr. Eiben was present to report on the Planning Commission meeting of May 16, 2012. Mr. Eiben reported that Mr. Clabaugh was present as was President Stauffer. Mr. Clabaugh had submitted a letter and comments for Nextel that the Planning Commission considered during the meeting. Mr. Eiben reported that the Planning Commission gave a recommendation of conditional approval. Mr. Eiben reported that all waivers would have to be present on the plans. Several waivers were discussed and voted on as follows;

1. Plan Scale Modification

Plan scale was requested to change from a 1"=50' to 1"=60' to reduce the drawing to fit standard paper. Mr. Eiben reported that the Planning Commission recommended this waiver. Mr. Loeffler made a motion to reduce the plan scale as mentioned. Mrs. Loeffler seconded the motion. The motion passed with all yea votes.

2. Revised Calculations for Runoff and Discharge

Mr. Clabaugh of C.S. Davidson worked with Nextel to provide calculations for water runoff and discharge in keeping with a small lot size. The Planning Commission recommended that the Council accept this waiver change. Mr. Loeffler made a motion accepting this waiver. Mrs. Loeffler seconded the motion. The motion passed with all yea votes.

3. Paving Access

A proposed compromise for paving was reached by Nextel and the Planning Commission whereby the access would be paved with a wearing course to the end of the church lot where a gate would be placed, and the remainder drive and parking areas would be a stoned drive to dissuade abuse of a paved hill. The maintenance of the paved area would become the responsibility of Nextel and the property owners. Nextel representative Kevin Wolfe responded that Nextel would be responsible for normal use by the monthly appearance of a Nextel technician, though continued use by the traffic for the Carnival would not be considered Nextel's responsibility. Mr. Loeffler made a motion to accept the waiver with a change of the placement of the gate to avoid Carnival parking hazards. Mrs. Ritz seconded the motion. The motion passed with all yea votes.

4. Turning Apron Modifications

The SALDO has a requirement that an access may not cross a street right-of-way line within five feet of a property line. The existing turning apron to Hanover Street is within five feet to the property line. This could be corrected by “squaring-off” the street intersection and reducing the size of the turning apron. The Commission felt that this approach would make a problem for vehicles entering or exiting the access drive. Mr. Loeffler made a motion to allow for an apron inside the five foot property line SALDO guideline for the access drive. Mrs. Ritz seconded the motion. The motion passed with all yea votes.

B. Nextel Tower Conditions

In addition to the waivers, the Planning Commission recommends that the following conditions be accepted and fulfilled by the developer as requirements for Conditional Plan Approval by the Borough Council;

1. Required seals and signatures shall be added to the plan before final approval.
2. Nextel would need to respond to any PennDOT requirements for a Highway Occupancy Permit, and this shall be a condition for final approval.
3. The developer must have the certification that the Planning Module for Land Development with any applicable waivers has been approved by the PA DEP.
4. An erosion and sediment control plan is required and is to be approved by the York County conservation District.
5. The developer needs to provide a bond or escrow in the estimated amounts for all public improvements required by this development plan.

Mr. Loeffler made a motion to accept the Conditional Plan Approval for the Nextel cell tower based on the five conditions being met by Nextel for Final Plan Approval. Mrs. Loeffler seconded the motion. The motion passed with all yea votes.

C. Lighting Ordinance

Mr. Eiben reported that the Planning Commission was approached by the Committee Chair Pat Roser by letter to review a possible street lighting ordinance for the Borough. The Planning Commission felt that a cost projection for this project for the 2013 budget was appropriate as no development was imminent in the Borough at this time. The Planning Commission would support this project at the direction of Borough Council.

IV. Solicitor’s Report

A. Council Reduction

Attorney Smith reported to Council that the Hearing to decrease Council Members was heard before Judge Linebaugh on May 22, 2012. An order was placed to decrease Council member seats starting with the next election and continuing to the second two-year election for a total seat reduction of two members, one each election cycle. A copy of the order was distributed.

B. Borough Street Map Ordinance

Attorney Smith addressed Council concerning the Baugher Hearing last month. After reading the minutes Attorney Smith suggested that CGA Law Firm formally issue a letter of denial to the objection of closing north Cherry Street. The Baugher family would have 30 days to formally appeal the decision in the Court of Common Pleas. The Street Map Ordinance was changed as per the York County Planning Commission’s guidelines and is ready for adoption. Council agreed to have the appropriate letter issued by CGA Law Firm.

C. Sterner Property

Attorney Smith reported that the Hagan property was now the property of the bank PHH Mortgage Corporation in Mt. Laurel New Jersey. The Borough needs to follow through with contacting the mortgage company and let them know they are not in compliance with the Sewer Ordinance. Mrs. Sterner is entitled to the same information regarding obtaining an easement for the installation of her sewer system. The Secretary Treasurer will continue the follow through on these cases for sewer hook-up.

D. Berlin Street Parking Signs

President Stauffer addressed Council regarding the parking issue. The fire hydrant eliminates public parking in that area except for one space close to the alley entrance. A sign to allow for truck unloading for the business there would move parking the car delivery truck into the hydrant no-parking area. Council agreed no additional sign should be placed in the area, and the car dealership had room in the front of their business to unload new cars.

E. Resolution 2012-3

Attorney Smith reviewed resolution 2012-3 for Carnival coverage and asked that the Carnival dates be placed on the resolution.

V. Engineer's Report

A. Storm Water Ordinance Fact Sheet

Attorney Smith told Council that the fact sheet was back-tracking on some of the exceptions as previously understood. Mr. Clabaugh explained that the July 1, 2012 application of the Ordinance was not affected. Mr. Clabaugh had met with the Zoning Officer in January to discuss the administration of storm water management permits. At this time the Zoning Officer will review any permits one thousand square feet or less, and the engineer will review any permits one thousand one square feet or more.

B. Graystone PennDOT Highway Occupancy Permit

Mr. Stahlman submitted an extension to the Borough for signature for submittal to PennDOT regarding the HOP for the entrance to the Graystone Development. Mr. Loeffler made a motion to extend the HOP for Graystone the indicated twelve months. Mrs. Loeffler seconded the motion. The motion passed with all yea votes.

C. Holley & Associates/ Corner Development

Mr. Holley was present to provide a sketch of a proposed five townhouse development on the Borough square corner lot along Berlin Street. The houses would face the circle. Mr. Holley discussed three issues this development was facing according to the Borough Ordinances.

1. Widening of East Cedar Street Cart way.

Mr. Holley explained that the widening of this cart way would require moving two utility poles and cost the developer approximately \$20,000.00. This was a hardship to the developer and Mr. Holley wanted Council to consider waiving this requirement.

2. Sidewalks on East Cedar Street

As parking was going to be along this area to the townhouses facing the square, a request to forgo the requirement of sidewalks was made.

3. East Cedar Street Right-Of-Way

Mr. Holley was requesting that no additional right-of-way from the deeded 20' be required. A 33' right-of-way had been adopted in the Borough back in the 1960's. Mr. Holley questioned the validity of this adopted Right-Of-Way Ordinance.

Council discussed the issues and clearly reported to Mr. Holley that no decisions would be rendered without a submission to the Planning Commission for recommendation to the Council. Mr. Clabaugh did warn Council that changing the right-of-way was not wise, as future development in the northeast corner of the Borough would indicate more traffic using that area of Cedar Street in the future. Thus, the streets could be made to accommodate the traffic at a later date but the right-of-way width should not be amended.

D. Baugher Property Water Drainage

President Stauffer and Mr. Clabaugh visited the Baugher property to evaluate the storm water drainage. It was Mr. Clabaugh's opinion that the area in questioned could be handled by some suggestions he provided to the property owner directly, and that the damage was not a Borough storm water issue.

Mr. Clabaugh and Attorney Smith left the meeting at 8:44p.m.

VI. Residents

No residents presented to Council.

VII. Treasurer's Report**A. Treasurer's Report 5/7/2012****Checking / Savings**

01.100.000. General Fund	\$93,246.16
30.100.000. Capital Improvement Fund	\$15,085.74
05.100.000. Parks & Recreation Fund	\$64.73
35.100.000. Highway Fund	\$19,368.33
18.109.000. CD - Centennial Fund	\$7,315.82
Total Checking / Savings	\$135,080.78

Debt

HVAC Peoples Bank	\$34,413.29
Roof and Gutter Loan Peoples Bank	\$71,850.51
<u>DCED HVAC Loan</u>	<u>\$34,276.34</u>
Total Debt	\$140,540.14

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

B. Dell Computer Service Contract Renewal Notice

The Secretary Treasurer reported to Council that a two-year renewal contract for the Dell Computer in the office had been offered to the Borough for \$365.00. A contract review sheet was available for Council to review. Council denied the service contract as computer repair was not an anticipated cost.

VIII. Jefferson Codorus Joint Sewer Authority (JCJSA) Report**A. Non-Permitted Residences**

The Secretary Treasurer reported that there were eight non-permitted residences. Four of the houses were abandoned and headed for foreclosure. Four were non-responsive.

B. Permitted but Not Hooked-Up Residences

The Zoning Officer and Permit Officer had decided to walk the Borough to review the final list. A decision to list residents for court would need to be compiled in June.

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

Three zoning permits, one sign permit, and one building permit were issued in May totaling \$219.00.

B. Violations

One violation was reported for 7 Hanover Street for the final removal of the dangerous garage shell structure; the Zoning Officer was waiting for completion deadline to take action

C. Street Cutting Repair

President Stauffer reported two locations where streets would need repair from sewer hook-up. Cold patch was used at one location but this would break down and was not up to code for the Borough. President Stauffer would work with the Zoning Officer to properly address repairing the streets.

X. Mayor's Report

Mayor Sanders reported that there were no incidents reported from the State Police. The reports are not being received by the Borough. The Secretary Treasurer would have to contact the State Police.

XI. Committee Reports**A. Building Property & Supply Committee Mr. Heltzel/ Chair Mr. Loeffler/Member****1. Maintenance List**

A copy of the maintenance list was submitted for Council to review. No additions were made.

2. Fork Lift

Mr. Loeffler reported that he had been traveling for much of the month and he would have to work with Mr. Thoman on the fork lift.

3. New Bench

Mr. Loeffler reported that he was working on the pins with Mr. Baum. There was a possibility to rip pressure treated wood to use as pins that would not rot in the exposure to weather changes.

4. Salt Spreader

President Stauffer volunteered to go purchase the spreader for the Borough from Douglas Supply.

5. Toddler Swings

The Council reviewed the toddler swings estimate of \$173.00 provided to them. This was a budgeted item. The Council agreed to continue with the purchase and installation of the two swings.

6. Flag Rotation

The new flags in the Borough circle had been placed for Memorial Day. Many residents commented on liking the flags. President Stauffer would work with Mr. Thoman to decide how long and when the flags should be set around the circle. The obvious holidays were Memorial Day, Flag Day and the 4th of July.

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

Mrs. Ritz reported that there was no new tax meeting until July.

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

1. Light Ordinance

Mrs. Roser inquired about feedback regarding the submitted draft Light Ordinance. The Planning Commission reviewed the draft and felt a more in-depth review was necessary. President Stauffer felt it should be included in the 2013 budget. Council agreed to review the costs for the new budget.

2. APPI Energy

Mrs. Roser asked Council if they wanted to follow up on the last submission of energy comparison submitted by APPI Energy. Council was not interested in re-opening the energy provider issue, but an inquiry with Met Ed concerning solar powered lights may be helpful as a future possibility.

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

1. Emergency Evacuation Plan/Church Letter

A copy of the letter was available for Council to review. Mrs. Loeffler reported that the letter was distributed but no response would be forthcoming until the churches had a chance to meet.

2. Fire Company Meeting

Mrs. Roser had attended the Fire Company meeting and the Company reported a gas leak that needed repair. The cost for repairing the wall and painting came to \$4,000.00, and was an unexpected cost. It was also reported that the Fire Company was rated at a five and the Borough at a seven from one being the best and ten being the worst for fire response. These numbers reflected the nature of the Company being a volunteer based response, and fire hydrant accessibility, and did not reflect performance on the job.

3. Resolution 2012-3/Carnival Police Coverage

Mr. Loeffler made a motion to adopt Resolution 2012-3 with the Carnival dates added for the Southwest Regional Police coverage of the event. Mr. Ritz seconded the motion. The motion passed with all yeas votes.

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

1. Sewer Installation Street Damage

This was covered earlier in the meeting. President Stauffer would report in July about his meeting with the Zoning Officer.

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

1. Sidewalk Repair

President Stauffer suggested consulting the engineer about a block grant to repair the sidewalk. This item would stay on the agenda for the Borough budget hearings in August and September for the 2013 year.

2. Sinking Grate on Spruce Street

An estimate to repair the storm drain was received by Mel's Excavation. The first option quoted was to repair the block and extend the metal grate for a cost of \$800.00. The second estimate consisted of replacement of the drain box and refitting the incoming drain pipes to the new box for a cost of \$3,203.00. Mr. Loeffler made a motion to repair the block and extend the grate for a cost of \$800.00 to the Borough. Mrs. Loeffler seconded the motion. The motion passed with all yea votes.

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

Mr. Jon Ritz reported that a new company by the name of Charity Advantage had a wonderful opportunity to design and assist in maintaining a web site for five years for the cost of less than two years at PSAB. A five year contract would cost the Borough \$597.00. A cost sheet and itemized services list was available for Council to review. Mr. Loeffler made a motion to enter into a five-year contract with Charity Advantage for a cost of \$597.00 to the Borough. Mrs. Ritz seconded the motion. The motion passed with all yea votes.

XII. New Business

A. Penn Waste Contract

Council discussed the one-year extension offer by Penn Waste as per our Contract. The new pricing offer was as follows; Option 1, \$54.00/Quarter-4bags or containers of trash, unlimited recycling, and one bulk item; Option 2, \$4.00 per bag with a minimum purchase of 26 bags. Mrs. Loeffler made a motion to accept the Penn Waste Contract Extension proposal. Mr. Loeffler seconded the motion. The motion passed with all yea votes.

B. Community Progress Council Contract

Council was given a copy of the contract proposal for the continuation of the rental space in the Borough building to the Community Progress Council. The contract had a \$6.00 or 3% per month increase over the last year's contract. Mr. Loeffler made a motion to accept the contract proposal by Community Progress Council. Mrs. Roser seconded the motion. The motion passed with all yea votes.

C. YCBA Summer Picnic Meeting

The Secretary would RSVP for any members interested in attending the picnic. Mayor Sanders, President Stauffer and his wife, and Council Member Mrs. Loeffler responded that they would like to attend. President Stauffer would submit a check to the Borough for his wife to attend the dinner.

XIII. Old Business

The new display board had arrived for the Borough building and would be installed as soon as possible.

XIV. Communication

A. PSAB Up-Date & Training

B. Planning Perspective/Act 13 Regulation of Oil and Gas

C. VNA Thank You

XV. Adjournment

Mr. Loeffler made a motion to adjourn the meeting at 10:00 p.m. Mrs. Loeffler seconded the motion. The motion passed with all yea votes.

Respectfully Submitted,

Deborah Corbin
Recording Secretary
Jefferson Borough