

SHIPPENSBURG BOROUGH COUNCIL
February 18, 2014
7:04 PM

Present at the Council Meeting: Andrea Lage
Kathy Coy
Joe Hockersmith
Kerri Burrows
Angie Facchinei
John Alosi
Lance Hoover
Sam Wiser

Absent: Mayor Bruce Hockersmith

INVOCATION: Kathy Coy

PLEDGE OF ALLEGIANCE: COUNCIL

PUBLIC COMMENT:

Andrea Lage: Anyone here for public comment?

Ann Hinkle: Director for the Shippensburg Senior Center. We are excited. I just wanted to give you a heads up to where we are at and how we are getting along and where we stand with the future. We are within the Christ United Methodist Church and they have been very generous in allowing us to come and have our home there and we are very thankful. We know that it is a temporary solution and our numbers, the weather is an issue and now parking is an issue. We are just excited about this. Our programming and activity is increasing and the weather will get better. The fund raising is going to get started. Lance was there for a grant proposal. They are in the process; Messiah Lifeway's is in the process of putting a grant together to get the facility next door fixed up. Thoughts of doing a capital fund to help raising money. One thought that came to us we noticed that there is a big pile of it in the snow in the parking lot and we wanted to know if the Borough would be willing to let us use it as a fund raiser? We are looking to sell chances to see how long it will take it to melt. Once we start the condition would be that you wouldn't be able to touch it or add to it. All the money raised would help go to the Capital Fund.

Andrea Lage: I think that you have to figure that the chances of more snow being added. That is part of it.

Ann Hinkle: We didn't know if that would be something that you would be willing to stand behind. Letting us use that. I have to get permission to use it first.

Andrea Lage: I think we can promise not to move but maybe not promise that we wouldn't add to it.

Kerri Burrows: Some of those snow banks you couldn't add it.

Kathy Coy: Maybe if you come back with more detail then we might be able to support it.

Andrea Lage: You have to kind of figure out what is going to happen in March. Is it going to be one heck of a March or a really nice March?

Kerri Burrows: One of the things that I remember is that more snow came in March.

Kathy Coy: If you come back in two weeks we might know more.

Ann Hinkle: Yes, the snow will be here I don't see it leaving. We just wanted that idea and no one to step in and take that idea. We were talking about Earth Day and we are all ready to dig in and we are excited.

Any questions for me?

Kathy Coy: I did want to see if we can get that lease up and running.

Ann Hinkle: Thank you very much.

Andrea Lage: Anyone else who would like to address Council at this time.

Melissa Varner: I am representing the Shippensburg Area United Way. I just wanted to come and express my thank you. The United Way does send a thank you letter but I know that it has been a while since we have personally appeared so I wanted to do that in behalf of the organization. The reason I am here saying Thank you is because we really appreciate the assistance that we have from the Borough to help us with not only our hanging banner over Rt. #11 but also our thermometers. It might seem insignificant to many of you but it is very important to us and it is also very much a benefit. We have an outreach to 28 area agencies in Shippensburg.

Andrea Lage: If there are no more comments during public comment we will go on to reports.

REPORTS

Mayor: He is not here for his at the moment.

COMMITTEES

Finance and Budget: n/a

Employee Relations – n/a

Transportation – n/a

Public Works. Property

Kathy Coy: We have a meeting on Monday evening at 5:30.

Planning/Zoning:

John Alosi: Angie and I attended the small local government's workshop February 7 and February 8, 2014 and meet quite a few people different parts of the state. We were at Grantville just east of Harrisburg and it was very worthwhile and I would like to express my gratitude. February the 10 I attended the Western Cumberland Council of Governments and it seemed like the big topic of discussion was salt.

Technology:

Angie Facchinei: Nothing to report although I do have the same contact about doing a webinar. Hopefully something next time.

Kerri Burrows: I know that we looked into this and technology looked into this. I think we should revisit social media again.

Angie Facchinei: I do too. Actually that was part of our

Andrea Lage: We are looking into that also.

SHIPPENSBURG AREA EMS

Heather Franzoni: Just a couple reports. The BLS crew; we had 48+ calls within the Borough of Shippensburg in February. The medic unit ran 23 calls just in February within the Borough. Since we went into service January 6; Shippensburg 73 ran 81 medic calls so far. So that is 81 times that a third party didn't have to come into the Shippensburg Area. Other things that we have been doing in the past month is we have done training in the medic unit with Newville and other mutual aid companies that way if our medic unit would come in to Newville their ambulance crews would know where our equipment was. Some of our stuff is a little bit different than West Shore. We also have training planned with all the Shippensburg Fire Departments. The thing that we wanted to report is that we focused on heart awareness. In the last month we did a sweatshirt/ t-shirt sale and we raised a significant amount of money to donate to the American Heart Association. Last week we had a blood drive so as a company we are saving over 409 lives. This is on the outside of the medic world. Southampton/Franklin signed on earlier last week so we will be primary now. The last one is Shippensburg Township.

Andrea Lage: Great and thank you for your service.

FIRE CHIEF

Kathy Coy: I will note that he was out shoveling out the fire hydrants.

PARK AND RECREATION

Josh Fritz: I am assuming that you got the minutes from the last meeting?

Lance Hoover: I didn't have them in time to have them in the packet.

Josh Fritz: Alright, we just met last week. We will have the annual report for the March 4th meeting as requested.

SOLICITOR

CHIEF OF POLICE

Fred Scott: Due to the weather it has been rather quite other than accidents and domestics.

BOROUGH MANAGER

Lance Hoover: I do have several things. The staff has been focused largely on snow management and removal especially within the past three weeks. A couple announcements. I do have item #7 is an update on some grants. I will cover that as well. We have been working in regard to the sanitation department. The big proposals for the disposal for the refuse is the tipping fees have been received and they have been opened up and I am in the process of reviewing them now. I do intend to have the results of those for the March 4th meeting with potential action to be taken at that point in time. I intend to have the report on our sanitation study to our budget and finance committee within the next two weeks for initial review to start and then discussion. Continuing to work with Todd on the agreement with the Shippensburg Athletic Association as well. Kevin and I really didn't have a chance to get the cost together for the items at the stadium but we will have that pulled together within the next two weeks for the next meeting. The work is going to be scheduled as soon as our mountain of snow melts down at the ball field and we have a way to get in there and do the work. I have asked Kip to prepare a report for Council for the meeting on March 4th with just a couple updates on some new programs and some changes that we are making and some things that I think will make the program better. She has been very excited about getting things pulled together. I will provide an update on grants later on in the meeting.

Andrea Lage: Okay, thank you

Joe Hockersmith: I just saw in the minutes that we were going to look at this Ordinance again, refuse and recycling.

Lance Hoover: At this point in time it is not ready.

CONSIDERATION TO APPROVE THE MINUTES FROM FEBRUARY 4, 2014

Kerri Burrows: I noticed a mistake on my part, we were talking about the town hall and I mentioned all of our managers and I forgot our water manager. I apologize. My intent was to include him.

Joe Hockersmith: You wanted to add Louis to the meetings.

Lance Hoover: Page 7, the third line. The final set of accounts were from 6:30 am to 8:30 am. Not the pm

Andrea Lage: Okay, so would there be a motion with the amendments suggested?

Kathy Coy: So moved.

John Alosi: Second.

Andrea Lage: Approve the minutes with the amendments suggested. Any further discussion? Motion carries 6-0. It is nice to have a full complement tonight.

CONSIDERATION TO ADVERTISE ORDINANCE NO. 14-902 AMENDING CHAPTER 144 ENTITLED "VEHICLES AND TRAFFIC"

AL: This is parameters for booting. This was brought to us by the Chief's request.

LH: It is what you see there the fine was \$30.00 and we would be reducing \$25.00 in order to enable the booting of vehicles and that would bring into compliance with other portions of that section.

SW: Could we perhaps do some word smithing on B? Right now it says citations by a District Justice of Cumberland County or Franklin County where warrants have been issued. My first questions were what kind of citations and what kind of warrants. I think that you are looking for a bench warrant; a bench warrant that has been issued if somebody hasn't answered a citation. I think perhaps something along the lines of where a warrant has been issued.

Kerri Burrows: Has been issued rather than has been filed you want to change also.

SW: A warrant has been issued relating to a citation filed with the District Justice of Cumberland and Franklin County. Does that sound better?

KB: Just for clarification, this is for non-traffic citations or is this across the board?

Fred Scott: Mostly parking tickets and street sweeping tickets.

KB: So, non-traffic violations. So, if you cite someone for summary harassment this does not quantify. This is only for traffic violations.

SW: Can we than just to clarify it say; a warrant has been issued relating to a traffic or parking citation filed with the District Justice of Cumberland and Franklin County?

Fred Scott: Yes, that is fine. We just want it across the board both ways.

Joe Hockersmith: Make a motion to approve advertising Ordinance 14-902 with the language corrections.

John Alosi: Second.

Andrea Lage: Motion to advertise the ordinance that would amend the Booting of Vehicles section. Any further discussion? Motion carries 6-0.

CONSIDERATION TO ADVERTISE ORDINANCE NO 14-903 CREATING CHAPTER 142 ENTITLED "TOBACCO USE BY MINORS"

AL: This is an issue brought to us by the Chief.

LH: It is my understanding that it has been at least in some form brought to Council prior and I talked to the Chief about it on several occasions. Ultimately this will create Chapter 142 which is tobacco use by minors. There are two other boroughs within Pennsylvania that have ordinances very similar to this. I have done some research on their ordinances and reviewed them and sort of tailored this one to be similar, not identical but similar. I have spoken with their Borough Manager and asked them similar questions such as; "how is this perceived", "how has it been implemented", "how has it panned out"? Those boroughs have had these ordinances in effect approximately 5 years. We are a little larger than the other two. They both have school districts and high schools within the area, what they have actually noticed is that it is received much better than they had anticipated however they have not noticed an increase or a tremendous need to cite people. What they account that for is the notification that the ordinance is there and that there are regulations in place. That may have in fact prohibited some of these activities from taking place in the first place or taking place outside of the Borough. It is something that I have talked to Chief Scott about on several occasions we both felt that it was worth the time and the effort to put the ordinance together and place it in front of you at least for discussion and consideration. I have two young daughters as well and I certainly hope as they grow up they do not get involved in that sort of thing but I think these ordinances will give us the ability to correct problems as they arise. The first course of action is not a fine it is a recommendation for counseling rather than going the monetary route the counseling is something that Chief Scott had requested and I think is a good idea. It is an effort to get some education. Second offences will come into the monetary fines. 142.4 is different than the other boroughs, they do not go with the counseling options.

Kathy Coy: I was going to ask about the counseling, is that something as simple as somebody at the school or are you talking about charging for counseling?

Chief Scott: Franklin County has some kind of program that they work with kids for smoking, alcohol and every on Saturday's.

KC: Free of charge?

Chief Scott: Yes, I am pretty sure of that.

Kerri Burrows: It is a nominal charge.

Chief Scott: One of the officers brought this to my attention. Maybe the kids see that some of the Saturday's are taken away that may deter them from smoking.

Joe Hockersmith: I think this is wonderful but my concern is how do you enforce it. We have our Memorial Park as a smoke free zone and we can't enforce it there. My understanding is that there are coaches chewing tobacco on sidelines during games. We can't enforce that, how are we ever going to enforce this.

Chief Scott: That is a school issue.

JH: No, it is not a school issue, it is our park. It is a smoke free zone.

KB: But, it is a school function so it is actually a school issue.

JH: Again, I don't see how it is enforced. That is always a concern for me.

Chief Scott: I came by the station a couple weeks ago and I look over and see a young girl smoking and to me she looked suspicious. I don't go over because she is smoking but I go over to find out why she is standing where she is standing. She said, I am waiting for two of my friends. She is 15 and two guys come out one with a 30 pack and the other one with him and they look at me and I look at them and they walk away. There is nothing that I can do. There is nothing illegal about them walking down the street with a 30 pack and a 15 year old girl with them. Now, if we had the tobacco ordinance I could have taken her to the station and had her parents come and get her.

KB: I think one of the things that the Chief has said is whenever you don't have something like this you can't enforce it because there is nothing to enforce. When you do have something like this and in fact if it does become an issue or if there is a situation like this he then can enforce it. As far as something at the school district I would think as much as that would take is somebody who has actually noticed it and is concerned actually call. I can tell you that whenever we first spoke about this last spring I actually had people from police departments in Franklin County come to me and say, I hope you guys do this and are you going to do it. We would like to do something similar in our township and our borough. This would be for the same reason that the Chief is saying, not because they are looking for the \$25.00 fine because I think the kids would much rather get a \$25.00 fine before spending a Saturday afternoon in a counseling session.

AL: I think we are up to \$300.00.

KB: I think one of the other concerns you are taking the parenting away from the parents and I think the way this is written it is very clear that the intent is not to take parenting away from parents.

Mayor: I would like to amen to what Kerri said. This is a tool and of all of the laws and ordinances that we have on the books we can never enforce them all. If we did then we would be writing up citations all day long.

JH: I understand that but I also, it is easy to catch smokers but the guys that go smokeless with just a pinch between their cheek and gum like I did for years doesn't make it right. It is pretty much undetectable unless you are spitting. I just don't see it as being real effective but I am going to support it.

Chief Scott: I haven't run into many chewers who have gone on to marijuana or other drugs. Most of the kids that we dealt with started out smoking.

KB: Even if a kid that picks up a cigarette and never picks up anything else or any type of drug the fact is that cigarettes are not a healthy thing to do. It will kill you.

LH: The one thing that the Chief and I talked about is that minors can't go into a convenience store and buy them. So they have to be getting them from somewhere. I agree that it is a tool. I certainly don't

suspect that we will devote 24 hours a day to it but it is a tool that gives the ability to take action if one is seen and deemed necessary.

KC: I think that the people that do sell them get caught there are big fines and their job is in jeopardy, but yet we do anything to the minor that walks in to try to buy them. I agree, having it on the books is a tool to use. It is there if you need it.

Sam Wiser: I have a couple stylistic comments about the ordinance that have some legal repercussions but not to the substance. As to the substance, violations to penalties provide that the minor has to complete counseling relative to the offence. There is no definition or quantification of counseling, what type of counseling, is there any type of counseling program that deals with smoking, can I go to my Mom and Dad and they say you shouldn't do this anymore. I told the Chief that I counseled you and that is one of my concerns about the ordinance.

Chief: I talked to the judge already and like he does underage drinking, first time underage drinkers, he told me that he sends them all to alcohol counseling. They will be issued a citation and he is going to do the same thing, no fine but you have to go and participate in this class.

AL: Will that also hold for Cumberland County.

Chief: That is Cumberland County; he does that now for all underage drinkers first time they all go to class. I am pretty sure Judge Williams will do that same thing.

AL: So counseling will be appointed by the judge.

SW: This says first violation you will not get a fine you will get counseling.

Chief: Right,

SW: So they could either pled guilty and do the counseling or they can contest it. When somebody comes to you with a plea of guilty and with a note from my Mom that says I have counseling Johnny not do this anymore. How can you say this counseling is not sufficient?

KB: If they don't take it in front of a judge.

Chief: They have to go to the judge to plead guilty; all citations have to go to the judge.

KB: If you write them a citation they can't just remit that citation?

SW: Okay, so this is a citation where they are actually in lieu of arrest and a required appearance?

Chief: Yes, in front of a judge. Sort of like an underage drinker, we require that also.

LH: Does the wording need to be tweaked?

SW: I am more comfortable with the wording now. I still would like it to mention some accredited program.

Chief: Yes, the county has it.

JH: Can we bring this back in March with the language correct?

Al: We can either advertise with amended language pending approvals by Sam and Lance or we can bring it back to us with the amended language.

KB: Let's see how much more Sam is going to change before we make that decision.

SW: The title is repeated twice I would remove the extra title and we need to have some legislative intent for the ordinance and that we would reference the Borough Code that allows Council to prohibit fire producing devices and smoking within the Borough so be a whereas clause. Whereas Section 53, 46202 can prohibit lighted cigarettes within the Borough and then the ordinance itself should be divided into section so section 1 should establish a new Chapter 142 and a section 2 that is a separate repbibility clause that if there is any provisions in the ordinance that are found to be invalid it won't affect the rest of the ordinance. Section 3 should be a savings clause saying that the rest of the code of the Borough of Shippensburg despite any insufficiencies of this ordinance shall be saved in their entirety and then there should be an effective date contained in the ordinance. I mean that is up to Council.

KB: I think those are pretty substantial changes. The first one that you said about a lighted cigarette, am I missing this? Were you pulling language from this or were you just suggesting that?

SW: The Borough Code has specific powers that Council has relating to different things. One of the specific things that Council is permitted to regulate is that subsection 16 of section 146.2 of the Code.

Council has the power to prohibit and regulate the smoking or carrying of lighted cigarettes, cigars, pipes or matches and the use of matches or fire producing devices any ordinance enacted or regulation or resolution adopted under this clause shall not regulate smoking in a matter that conflicts with clean indoor act.

KB: Okay, so it says nothing about smokeless tobacco.

AL: I was wondering about E-cigarettes too.

KB: Well, E-cigarettes don't have nicotine.

JH: They do have nicotine in them.

SW: They do not have tobacco.

LH: That would not apply to this.

SW: Right.

KB: But smokeless tobacco would not either.

SW: Correct. The concern is that it is essentially a fire and safety concern.

AL: So we are not really able to regulate tobacco as such, we can just regulate the fire hazard.

SW: That would be my opinion. It doesn't extend to chewing tobacco.

KB: I would be curious to see if that is, is there something else? Is there something for the other two boroughs, do they state something about smokeless tobacco?

LH: They do include smokeless tobacco, yes.

AF: That is so hard to enforce anyway.

LH: In talking to the Boroughs that is the one thing that they did say is that they drew the line as far as all of it and the smokeless tobacco is in the other two, yes. Whether it has been challenged or not, it is present in there.

KB: I think we need to get all the bugs worked out.

Chief: It is not a life or death thing it is just a tool that we can use.

AL: It seems that the big debate is whether or not smokeless tobacco products are to be part of what we wish to try to regulate in which case one of your clauses wouldn't actually go in there, because we wouldn't want to reference just that.

KB: Actually technically if it is not smokeless tobacco then the entire ordinance is mislabeled because it is tobacco used by minors. It is only flammable things in your hand.

JH: We all know that this is a public health issue, so we can address it from that public health issue.

SW: I would couple those two provisions together to include both and reference this provision as well as the provision that says and any other issues that concern the health, safety and welfare of

KB: That is what I was looking for Sam.

JH: I am willing to do this but I question the enforcement, I don't want to see kids smoking.

John Alosi: Tobacco use covers smokeless tobacco. It is tobacco.

SW: The Borough Code does not specifically allow you to regulate tobacco use.

JA: Okay.

KB: Okay, so if the Chief stopped a kid who was doing something after curfew and he found a pack of cigarettes or can of chew in his pocket and he was not actually using it, the Chief wouldn't be able to cite under that either because it is not lit.

SW: He is not using it. Is it illegal to possess?

KB: If you are 16 and you have a beer in your hand and even if you didn't drink it, it is still illegal.

AL: I like keeping it as is, the broader is better.

KB: I agree.

JH: Let's bring it back. I agree maybe the broader.

AL: Take no action.

CONSIDERATION TO AUTHORIZE GLACE ASSOCIATES, INC TO COMPLETE THE PREPAREDNESS, PREVENTION AND CONTINGENCY PLAN (PPC) FOR THE WWTP

LH: I know that we had talked about this prior and I had asked for authorization to get proposals for the PPC plan which is one of our required plans.

We did that and we received 4 proposals. We received ARRO's and it was for \$7,500.00. We received a proposal from RETTEW for \$6,500.00. We received a proposal from Dennis Black Engineering for a cost of \$5,000.00. We also received a proposal from Glace Associates for a cost not to exceed \$4,866.00. Again, I don't want this to be any indication of ARRO's performance, they have done great this is simply a dollar thing to get us compliant and do it as cost effective as we can. I see a difference from top to bottom of \$3000.00 which is a substantial amount of money on this end and this is a standalone project and this really doesn't tie to the WWTP construction it is just simply a report we need to have prepared to be compliant with our permit.

JH: Completed report to the owner by December 31, 2014 works for us?

LH: Yes.

SW: We have a certain grace period within our NPDES permit in which to prepare and implement the PPC plan.

AL: I thought that was by June, 2014? I thought it was the inspection thing was December, 2014.

LH: Ultimately we need to have this complete for June, 2014. The outfall inspection will be due by the end of every year. My goal with that is to have the initial one complete and have our staff trained at the same time so that we can do subsequent inspections and not have to incur the minimal cost but the cost.

AL: Okay, but we are not acting on that now even though it is part of this letter?

LH: That inspection is part of the not to exceed cost. That is part of all the proposals so it is in there.

AL: Right, but that was an additional \$2,387.00.

LH: Yes, so that would in additional. At this point in time I would only be asking for the approval for the report itself.

AL: We are comparing apples to apples with these prices for the other engineers and it is just for the PPC plan?

LH: Yes it is just for the PPC plan and I put together the basic scope of services.

AL: Okay,

SW: It is a professional service and it does not have to be bid. If Council is so inclined I think it would require a motion authorizing the Council President to sign the proposal as presented with the exception that we are not agreeing to the item #2 at this point. It is only item #1.

JH: I will make a motion that Council president be authorize to sign an agreement with Glace Associates, Inc. for Item #1 as spelled out in this proposal.

KB: Second.

AL: Any further discussion? Motion carries 6-0.

CONSIDERATION TO AUTHORIZE COMPLETION OF THE SOLIDS MANAGEMENT INVENTORY FOR THE WASTEWATER TREATMENT FACILITY

LH: This is another one of the issues that we have to comply with as part of our new NPDES permit I did request multiple proposals and I only received two. A proposal from Material Matters that is the company that works together with our staff on the Bio Solids end. Their proposal was for \$4000.00 and then a proposal from Glace Associates and their proposal for this particular work was for \$4500.00. I would recommend that we go with Material Matters at the cost of \$4000.00 with our staff and prepare this inventory. This particular work does need to be done and completed and submitted as part of our Chapter 94 which is due at the end of March. So this is a relatively quick time frame in terms of a turn around.

JH: They will meet that?

LH: They will. I suspect that they will. They do great work.

SW: Is that a not to exceed amount?

LH: That is not. No.

SW: Is Glace proposal a not to exceed.

LH: Yes it is. Can we approve it as a not to exceed \$4000.00?

SW: Yes and I would have them modify their proposal.

JH: What is does this inventory consist of?

LH: It is a requirement of the NPDES permit; DEP is requiring all Wastewater Plants to do what they call an inventory. Where it takes a look at what is coming in to the plant and what we carry through our process and what we waste and goes to the disposal plant. Just an inventory of how much bio-solids and how much solids. It is a requirement and it is just not us it is every plant.

JH: A motion to approve the agreement with Material Matters but you want it done as not to exceed.

So moved.

KC: Second.

AL: This is to authorize completion of the solids management inventory by Material Matters provided that they will amend the letter and agree to not to exceed \$4000.00 amount. Any further comments or discussion? Motion carries 6-0.

LH: Thank you.

DISCUSSION RELATIVE TO MIXERS AT THE WASTEWATER TREATMENT FACILITY

LH: I know that we had talked prior about the mixers at the treatment plant and the experiences and the failures that we have had. I finally have been able to, working with ARRO have been able to come up with a full cost for replacement to this and what we feel is a new and improved and much longer lasting and durable mixer. It is a Wilo mixer. The cost of the initial mixer itself would be \$10985.00. Now, that does include \$1650.00 worth of training and startup which would not be required on subsequent purchases. That is \$7800.00 was the cost to rebuild the current mixers that we have. I have gone back and forth on this 15 times. The Wilo is more money but the experience that I had with these particular mixers is that they are a multi-year piece of equipment. The initial cost is a more but it is not going to be replacing and running through a cycle. We do have a large amount of them to run through. We have 10 additional after this particular one.

KB: So we are looking at 10 grand apiece.

LH: They would be \$9,335.00 each after this first one. We would not have the startup and training on the subsequent mixers.

KB: What is the life expectancy on these mixers?

LH: They have 10 years +

KB: We are looking at 10 grand versus 7 grand.

SW: Well, that is \$7000 to rebuild.

John Alosi: If we have to replace all of these every year? That is \$7800.00 per year. This one you will have for a couple of years so you are saving?

JH: It depends on how many we are rebuilding.

LH: Well, it has been as high as three in some years.

KB: The rebuilt ones are only lasting 2 years?

LH: The new ones only last about a year. So, new or rebuilt we are getting about a year out of the current one.

AL: The others have truly 10 years without rebuilding?

LH: I know of 4 plants that have not pulled them in 10 years.

JH: Is there an initial warranty?

LH: Yes, there is a 2 year warranty.

JH: It is a no brainer.

KC: I am assuming that you will put this into some type of revolving replacement plan going forward?

LH: We have not in the past but we will starting with the upcoming budget. Start phasing out and then the replacements.

JA: Would you be able to indicate how much it might cost per year using the rebuilt ones and what the cost would be? As far as it might cost us \$20,000.00 per year compared to?

KB: Let's just say that they have to be rebuilt every two years, then we are looking at \$35,000.00 per mixer over a 10 year span. Where what he is saying that his experience and him checking is a \$10,000.00 mixer is a \$10,000.00 mixer for 10 years. Where a rebuilt mixer is going to cost you \$35,000.00 over the next 10 years and that is if you have to replace it every two years. He is saying you normally replace it every year.

LH: We are at a position now that we actually have three that need to be rebuilt. It can vary from one a year or three a year. It will take us several years to work through all of them. We may be able to budget and do two or three a year.

JA: Sounds like long range that the \$10,000.00 one will be working and we will be saving 10's of thousands of dollars.

SW: What was the total price Lance?

LH: The first one is \$10,985.00.

SW: The price of the equipment itself is under 10?

LH: Yes ,it is. The price is \$9,335.00. Then there is \$1650.00 for training.

SW: Yes, that is a separate service than the mixer itself.

LH: Yes, it is billed and identified separately.

SW: You will be writing two separate checks.

KB: Therefore keeping it under the bid requirements.

AL: Okay, do we have a motion to authorize the Wilo mixers as the need arrives at \$9,335.00.

JH: Where is the money coming from?

LH: At this point we do have money in our equipment and maintenance and repair category.

JH: To cover how many?

LH: We will buy one right now and that will have us fully in service.

JH: So we are authorizing just the purchase of one, not as need arises.

AL: Okay, good point.

SW: Okay so if Council is so inclined we are looking for a motion to authorize the purchase of a Wilo mixer in the amount of \$9,335.00.

AL: Does that include tax and delivery?

LH: Yes.

JH: So moved.

KC: Second.

AL: Motion by Joe and a second by Kathy. Any discussion?

KB: Just for clarification it is very likely that we will see you in the next 3-4 months for authorization to purchase another one?

LH: I certainly hope not but it is very likely. When that is the case I will bring it back to Council for approval.

AL: Any other discussion? Motion carries 6-0.

SW: Council is so inclined I think it would be appropriate that we make a motion to authorize the expenditure of \$1,650.00 for professional services which is training and start up for the Wilo mixer.

KB: One time.

KC: So moved,

KB: Second.

AL: Any further discussion? Motion carries 6-0.

Update on Potential Grants

Senior Community Center Grant Program

LH: There was a webinar meeting last week which I attended. The way that particular grant which is through the Department of Ageing will work is Messiah Lifeway's will be the grantee and we as one of our things that we will need to do is to provide them with a letter of support for the project. That is just a letter from our Council and our Borough to identify that we do support the project and we whole heartedly support the project. In addition to that the other thing that we will have to do as Kathy had mentioned is it will require an executed lease agreement to go with the grant package. That is something that we will need to act on relatively quickly. The deadline for that comes up toward the end of March. They are the two areas of responsibility for Council.

KC: Can we just do that by direction or what?

KB: Because it is still going to be a Borough building that we are long term leasing to the seniors with no intent to ever get the building back. Let's say the senior center was for some reason to dissolve and a good portion of the rehab of that building was done by Messiah Lifeway's what is the Borough on the hook for as far as anything for the funds that grant was not awarded to. I am just concerned that we could potentially be on the hook for something.

LH: This particular one through the Department of Ageing. It is geared toward Senior Center Organizations and not necessarily the Borough. This particular one does need to run through Messiah Lifeway's.

AF: It is a one-time funding. How much money is it?

LH: It is up to \$150,000.00 and the way it works is.....

JH: What is your concern now?

KB: My concern is we would kind of be in the same kind of predicament with that building except for it would be even greater because...

JH: Are you saying that it would have to stay as a senior center or revert back to us?

KB: I am not even concerned about that I am more concerned about that we wouldn't be able to touch it because let's say that the senior center were to dissolve. They would move, or Messiah Lifeway's would leave and someone else would come in and sponsor them or something. What could potentially be the repercussions for the monies coming to a borough facility that we own?

SW: The lease will address that to a large degree. As long as we are not a party to a grant agreement what will happen is that Messiah Lifeway's will have to sign a grant agreement with the Department of Ageing on the use of the funds and how they have to be accounted for. I don't envision the Borough being a party to that we are just supporting their application. We don't have any liability to the Department of Ageing. There are other grant opportunities that might come along.

KB: So, in this particular situation we would not have any obligation if anybody the obligation would go back to Messiah.

SW: Correct.

LH: Okay, just quickly. Our state is broken down into 8 regions for this particular grant. Each region would be awarded up to \$150,000.00 now the recommendation is that each applicant in for as much of that as they can and the hope is that this particular project would be awarded the full amount or something very close to it. I can say from our webinar that the county is very supportive of the project and looking forward for the grant application going in.

JH: No problem with the letter of support. Now does Council know what we are looking for in the lease? Have we discussed and have that language?

KC: No, we haven't discussed anything at this point. There hasn't been any guidance, I have a copy of something from Mechanicsburg but it really didn't apply to us.

SW: I think as far as the nuts and bolts we can discuss that in executive session.

JH: I think we can authorize that the letter be sent.

AL: I think we can go with direction that we are in fact supportive of Senior Center.

KB: I will make a motion to draft the letter of support to Messiah Lifeway for the grant application for the Senior Community Center Grant to the Department of Ageing.

KC: I will second that.

AL: Any further discussion? Motion carries 6-0.

USDA Grant – Utility Interceptor

LH: I have been talking with the Chief about the potential USDA grant for the vehicles for the police department. What it comes up with is that the USDA grant is a 55% and our portion would be a 45% of the total cost. We do have the funds available through our contingency line to support the purchase of the grant application for one particular utility interceptor vehicle. If you are willing and considerate of doing that we do have the contingency funding to support one of those vehicles. They would replace the 2005 and 2006 cruisers that are currently on the fleet.

KB: Which is ancient for police vehicles.

LH: I would say that they are well used.

Chief Scott: The police cars everybody thinks that 100,000 miles are not that much for a police car but we just got information down that for every car that runs idle 6.6 hours a day it is equal to 33 extra miles that you do not see on a car. The electronics on cars take extra and it used to be that we could turn a car off and go about your business but now you can't do that. This is only February and there is the rest of the year. If the Council is willing to take care of one car I will take care of the other car through other means. I am going to leave half of that contingency.

AL: We didn't think that the grant was going to come through and I think it is a great opportunity so my personal sentiment is that if you want to apply for that for vehicles that makes a lot of sense.

Chief: If I get the money for the second one with no cost to you is that any issue.

AL: There was some discussion of the added cost and the relative cost and upkeep of another vehicle and whether or not we could as a Borough tighten a little bit and go ahead and get the one new car and finance that but whether or not it made sense to have a fleet as large as our current one. That is part of a broader discussion to be had.

KB: How many vehicles do we have?

Chief: 4 marked and 2 unmarked.

KB: The Chief has a vehicle which is standard protocol, right? So have 4 marked vehicles. Dayshift, how many officers do you have on shift?

Chief: Myself and another one.

KB: Nightshift, how many?

Chief: Weekends, three. Thursday, Friday and Saturday we try to have three officers available.

KB: Okay, so if we shrunk the fleet down to three marked cars which is what we are proposing if one car goes out of service, which happens. We don't have enough vehicles to outfit our police department. We are not talking about... I think there is this misconception that we have this massive police department in the Borough of Shippensburg and quite frankly we don't. We are pretty darn close to running on skin and bones and having 4 vehicles for 3 patrol officers I would not consider in excess.

Chief Scott: Two of the cars that we are running the engine light stays on because of the wear of the engines and the time on the engine. We have no choice, we have to run them.

JH: Okay, so you want to pursue one of these with the grant and then you are going to find a private source of funding?

Chief Scott: Yes.

KB: For the other 45% of the vehicle.

AL: So, you will apply for two and the Borough contingency will be the match for one and donations will be for the other.

JH: Okay, move to approve.

KB: Second.

AL: Motion and second to approve the application of the USDA grant for two vehicles understanding that one comes out of our contingency line and the other will be funded through donation sources. Any further discussion? Motion carries 6-0.

RACP Grant Update

LH: Just very quickly on that I know that the previous meeting there was Council support for the RACP grant. This is for the community center as well as Katie's Place. In working and communicating with the staff at Katie's Place it became very evident that we certainly were not going to be in a position to meet the current deadline. Now it is my understanding that there is an April deadline as well as a fall deadline. There are two more potentials for that particular application to be pulled together. I think either one of them provides a greater amount of time for the data to be pulled together.

AL: Are we going to try to shoot for the April deadline.

LH: I think that was the thought. Yes.

AL: Are we coordinating with Katie's Place?

LH: I think that largely that will depend on their ability to pull together their amounts of information.

JH: I did send you an email concerning the stadium.

Mayor: I have been given an indication that they will have everything together and ready.

JH: I would just like to say that it was a good meeting that we were able to meet with Senator Alloway; he is very supportive of Shippensburg.

AL: Anything else on the RACP?

DISCUSSION ON THE NIXLE NOTIFICATION SYSTEM

AL: I think this might pertain to recent events.

LH: Yes. One thing that we noticed is that since the snow it has led to a whole lot of other issues. The need to cancel our trash service on Friday. I think they were all good sound decisions. I think that what we did face is the ability to adequately get the information out. The staff did a great job; it was on the TV, the Newspapers, radio, and website. WE made every attempt to update things. Our ability to reach everybody is still kind of questionable. Whether they do not catch the newscasts or listen to the radio stations, I am not sure. It is not for a lack of Nicole and everyone else part. I do know that we have the Nixle Notification system. I have done some research on that. There are a lot of advantages to that; it is free for us and residents. It seems to be a decent system and it does seem that the drawback is the residents have to apply and sign up for it. Then in order to see the notifications they have to log in and watch what we are doing. Which leads to the problem. I am not sure how quickly everybody will sign up and/or check it. I know that there is an option there. As part of the water system we do have the ability to utilize what is called a swift reach system which is a tool that started up as valuable and used for water type incidents. The principal is the same they take a map of the Borough and in this case the entire water system is on this map and they have the user information tied to the actual residents on the map and the way that it works is when there is an emergency comes up we can identify the area impacted we can either dictate or compile an email with the message that we want to convey and then it will notify the people in that area whether it is through a phone call or an email. It will send out a notification. The drawback is that the phone calls are at a cost. It is 5 cents per call. The emails are free. The push would be to get everybody's email address.

KB: When you say, 5 cents per call? Is that what you mean is 5 cents per physical address per phone line and not per time we use it? Correct?

LH: It is a charge for every attempted call for every time that we would use it.

KB: 5 cents for me, 5 cents for Joe, 5 cents for Angie?

LH: Yes, if we would do 1000 calls then the cost would be \$50.00. It is called Swift Reach. Now the benefit to that is in talking to Louis that is about 90% ready. It is not fully ready yet. It has some flexibility

to it. A lot of municipals and boroughs do use that and it is just water related but it can be used for anything. The message that comes over that will truly come through us. If we say that your street will be cleared from snow tomorrow then we can identify just that street. If we want to send one out to the whole borough that we will be doing a phase 3 emergencies then this is what it means we can do that. I think that the caution there is we would not use it unless there was a true emergency.

KB: Only if they sign up for it. In all reality, we have 5 lines where people could hook up with. So, we are looking at \$250.00 for phone calls. In perspective \$250.00 is the cost of one towed vehicle.

LH: I think that the biggest complaint we get is that people just don't know what we are trying to do.

JH: We talked about this a little on Sunday morning. I understand all the social media aspects. It seems to be that about anytime I get on a website there is a thing where I can friend them and I get automatic updates from them. Right?

KB: There are some positives here, Facebook, twitter great, great tools. I was on it quite a bit this weekend. The thing about Facebook is; just as you pointed out I may be the only one that is regular on Facebook.

AL: There is no site and we don't have a Borough Site. Maybe a Facebook page. Who would maintain it?

KB: This will reach more people. You will still have the crowd that does not use the social media. I found out about the snow emergency through a phone call. I was embarrassed. Nicole had to send me what it meant. How do we expect someone else maybe on Burd St that they can't park on the street? I am on Council and I don't know.

Chief Scott: Most of the people who live here in the Borough know about those things. Most of them were non-residents.

KB: I have never lived in on a snow emergency route. So, maybe that is the difference but I never had to pay attention because it didn't affect my residence.

Chief Scott: Burd, Orange and King people are pretty familiar with it. We have a lot of college kids and visitors that said they didn't have a computer or whatever.

KC: If it is a plow able snow that Orange St and Burd St. are not parked on. Plain and simple.

Mayor: Anytime that the US Weather Bureau predicts between 4 and 8 inches of snow there is a snow emergency it shall be declared. I read the ordinance for the first time and realized that what the ordinance says, the Mayor shall. No wiggle room.

KB: I think that the other concern is a misconception when somebody hears that it is a snow emergency route and they can't park on there they assume that I can't park on there because you are going to remove the snow. When the snow doesn't get removed then they are like, wait I had to remove my car but you didn't remove the snow. I think there needs to be a very distant clarification that a snow emergency route is for public safety and it is not that the Borough is not going to clean out your parking spot. I think that is because there is a perception that is what is going to happen. I think that is because we didn't explain it good enough. It means move your car so that it doesn't get run over by a snow blower.

Mayor: The main thing is for access by emergency equipment and to keep traffic moving. It doesn't have anything to do with snow removal.

LH: I think that the battle we face to be honest, I got extremely irritated. Is the perception that we were doing nothing? The guys busted their butts. We need to tell people we are out there and here is what we have been doing.

KB: I have gotten 50 -75 feedbacks in the last couple of days. The perception wasn't on the street guys it wasn't on you. It was on us as leaders as not having a good plan and I understand that they need to be frustrated and I would much rather take the frustration on myself than to give it to Kevin or his street guys. We need to have a communication whether or not we perceive it as a bad communication the community as bad communication and we need to fix it.

Kevin Plasterer: If you use Facebook you will get backlash from people I would like to set up a group email for downtown businesses saying that we are going to clean the streets. What I have now is that we go by and they push it back on the street.

SW: Can't you make the Chamber responsible for that.

Steve Brenize: Most of the downtown businesses are not Chamber members.

Kevin Plasterer: I did talk to her about getting a group email list made up so that we can do something like that.

JH: What is wrong with negative feedback? There is going to be some but there is going to be something positive come through there and you will say why didn't I think of that.

KB: I do not have a problem with people having negative feedback, what I have an issue is that when someone responds to a feedback that is completely off of topic and then we get into something that nothing to do with what the issue is and 650 threads later nobody remembers what the post was about.

Kevin Plasterer: Going with the water system, that would be going to all the landlords that are not even in Shippensburg and they will never give that to the tenants or to the people that are renting. I think we put it on our website and here is where you sign up.

Chief Scott: Talking to the University, they were going to put it out to all of their students. They only have 50% of their students on their emergency notices.

KC: They could also put in the Cub and TV; there is no reason that they couldn't have done that.

Chief: They did that, but they said they have this big alert and only 50% of the students are on that.

KB: I personally want to say that you guys did an amazing job and I drive through town every day to see the progress that you have made. I talked to Lance about on Friday about it and I know you have been working tails off. I would much rather get the phone angry phone calls.

Kevin Plasterer: When the plan went into effect, no one knew what work needed to be done to create what really needed to be done. We had to stop what we were doing as far as removing snow but no one knows that.

Chief: Then if the ice hadn't come that was the biggest thing. The ice pack.

KB: You were plowing around cars for the first 6 – 7 hours of the beginning of the storm. They were not able to start towing until midnight. I think maybe if we explain to the borough residents what the snow emergency phases mean first of all.

Steve Brenize: It is on the signs that effected.

KB: Steven I agree with you and once again it goes back to perception and I understand you can only do so much I get that, but obviously there is a huge discontent within this community. Do we just say, there are sign and we had it on the Borough Website on ABC27 and CBS21 and the radio? We say we have done our part, but the community doesn't feel that way. So, is there something else we can do?

AL: Let's get back to Nixle.

Mayor: I would share with you my personal experience with Nixle. I am registered with Nixle; I forgot my password so I can't get into Nixle. So Nixle to me right now is worthless.

AL: Well, if we are interested I think we should look into the swift reach and talk with the Authority about their willingness to share that system.

SW: Is that something that we purchased? The Authority purchased that they would have to allow us access to? Can we independently use the system?

LH: It is not actually a purchase; there is an annual maintenance user fee. I think it is \$2300.00. It is registered through the Authority because of the requirements of DEP they were required to become prevalent in that system.

SW: Have they offered to share the system with us?

LH: Truthfully at this point in time it hasn't even been brought up.

AL: It has been discussed in the past but I do not remember how that was resolved.

KC: You say that was \$2300.00 annually?

LH: Yes.

AL: In addition to the per use cost.

JH: Okay, but I still think we need to look at the other social media aspects. There is not a cost to.

KB: Is there a way to do social media, Facebook where you cannot respond to threads? You put it on there and there is no response?

Steve Brenize: You can set a post up for no comment, a read only post.

SW: Can you make it where they would join a group as opposed to being friends? That would give you more.....

KP: If the people have Facebook then they have to have email. Why can't you just set up the email?

KB: Because people check Facebook and they will be on Facebook for hours in the evening but they may check email once a day.

AL: Why don't we throw this to technology committee to investigate?

LH: Another thing if I may add since we are on that subject; I have talked about this a lot with Kevin and we have been brainstorming about various things. I think through the spring and summer if Council were considerate of a committee to look at our policy's and see if there is anything that we can do update them or change them and our community kind of changes year after year. We have just talked about several streets that can go one way or parking on one side. Something that will allow us, there are streets that we had to go door to door and car to car to try to get cars moved so that can make enough room for a fire truck to get through.

KB: I think that is fair. We had an emergency where the street was not passable because people were parking too far away from the.... Our guys had to go out on a Saturday and knock door to door to get cars moved so that a fire truck can get through a road way. That is why we have snow emergency and it is not to clear out peoples parking spots.

AL: Why don't we have transportation take a look at it in the off season and I think that makes sense. We will have technology look into social media but also let's look into what kind of agreement would need to be reached with the Authority if we want to use the swift reach technology.

KP: Just to add real quick with Lance, Phase I, Phase II and Phase III. We have to reverse them in that particular order. I would love to kept the one way streets and take down the snow emergency but we can't do that according to the ordinance.

LH: As soon as we start to revert backward the one ways go away immediately.

AF: Can you repeat for transportation again?

AL: Transportation is going to be dealing with looking in the off season at changing the ordinances needed to deal with our existing policy's and update them. Technology is going to deal social media and we have Lance going to look into what would be to join in with that swift reach if the Authority has any concerns about that and if there are any additional cost other than the per use cost that we would incur.

KB: Just as far as that Nixle system goes I know that the University and the High school uses something. Is there something or maybe the potential availability that we could approach the University and or the school district to piggy back off of theirs?

AL: I think we talked about this Bruce, do you remember? I am thinking maybe a year or two ago now? The pros and cons of the different systems, there was a desire to keep it separate for various reasons.

Mayor: Yes, I think so.

LH: I know that the Nixle is free but it is not terribly friendly as far as that is concerned.

Mayor: You can also buy a program, from the free program to...

LH: Yes, here is an upgrade to the free program too.

JH: What, is it custom tailored to your....

AL: I think you need something that would sort of push automatically and this idea of having to log in is an obstacle.

KB: If we go back to the swift reach thing, the whole landlord thing complicates matters significantly but honestly if you are contacting 5000 phone lines you are looking at \$250.00 for a snow emergency. This

winter has been unusually rough. We don't typically have things like this. So, cost effectively it may make sense to do something like that.

Nicole Bard: Kerri, you are saying 5000 numbers, why are you saying 5000 number?

KB: Residents, I am just thinking 1 phone call per resident.

NB: We only have 2000 accounts.

Mayor: Right, something like 2200 households.

KB: I was considering it as far as several phone lines.

LH: I think that the way they are set up is usually they have a primary and a secondary. We could stop it at the primary. The landlord issue is something to work around.

KP: I think we could use it a couple days in a row.

AL: Alright, technology you can work with Lance and Kevin on the details of that.

CONSIDERATION TO APPROVE RESOLUTION 14-005 THAT WOULD APPOINT LANCE AS CHIEF OF ADMINISTRATOR FOR BOROUGH UNIFORM AND NON-UNIFORM PENSION PLANS

JH: So moved.

KC: Second.

AL: Any further discussion? Motion carries 6-0.

CONSIDERATION TO AUTHORIZE REPROGRAMMING CDBG FUNDS OF \$10,000 FROM POLICE ENHANCED PATROLS TO ADA RAMP AT EARL/KING

LH: Okay on this. Requesting consideration to, every year we get money that is dedicated to police enhanced patrols and at this point in time we have a very substantial reserve of those funds. What I would request is a reallocation of dollars from that line item in the CDBG to the project on the ADA ramps at Earl and King which will allow those to be completed and then when the 2014 allocations are issued reallocate the \$10,000 from a different project back into that enhanced police patrol approximately two to three months from now.

JH: Sounds good to me.

LH: I did discuss this with the Chief and he was okay with it. He did leave now.

KC: So moved.

JH: Second.

AL: Any further discussion? Motion carries 6-0.

We do have an executive session with legal, contractual and personnel matter.

Sam Wiser: Personnel matters related to a management employee, real estate matter related to potential lease and contractual with potential litigation.

AL: Is there action coming out?

SW: No action coming out.

OTHER BUSINESS

AL: Sam? Joe?

JH: I will be at the next meeting and I will let you know later on.

AL: Okay, we will look forward to seeing you at the next meeting. Angie?

AF: We have turkey vultures, they decided to invade our neighborhood again and Nicole mentioned that Kip did something about that.

KB: Yes, we have sirens.

AF: They need to go off again, they are in my yard. They are disgusting.

KB: They come every year.

AF: I would like to see if Kip can help me again. There were some lines marked on Park Place I think for the gas lines and I have lost track on what that was exactly?

KP: Earl and I think you signed a new agreement to run a new gas line down through and out to Volvo. My guess is that they are probably getting ready to start that.

AF: Will that be an option for any of the residents?

KP: Yes.

AF: They will notify us at some point or what?

KP: I am not sure how?

AF: I am just curious for the whole street.

KP: Kips concession stand I was going to switch over to that but since we are not using that one there is no sense in doing it.

AF: Just the seminar and I had given it to Nicole to see if there was any relevance to her or Lance. That's it.

AL: Kathy?

KC: I was at the DOIT committee meeting. They were talking about a few of the businesses that are looking about coming into town. Another one that might be opening again. They are looking for grant money the same as everybody else. Also, the Granger's has offered to provide cookies and maybe punch or something at the Town Hall Meeting on the 25th of March.

KB: Did we get any word back from Randy or did we decide what we are going to do because we really need to get that out as far as.

NB: 60 to 75 people are what the accommodations would be for.

KB: What about the managers? We are looking at 15.

KC: They are willing to pull one of the engines up to make room.

KB: I think 50 people will be sufficient.

AL: Kerri?

KB: I just had Town Hall which we already discussed and the snow removal.

AL: John? Mayor?

Mayor: Just accommodations for our street crews and their dedication to their work. We have a very dedicated group of employees and they do their job and they do it well and if anybody thinks otherwise, I will say many years ago Chief Burgess of Shippensburg says: There are roads leading out of town in all directions, if this doesn't suit you here get on one.

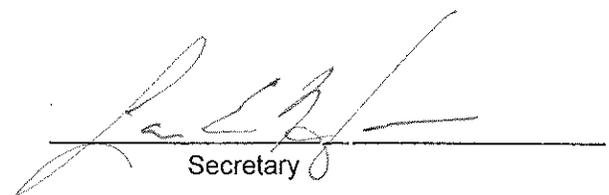
KB: All the comments that I heard were not directed at our street crew or you Lance, they were directed at us.

AL: Lance?

LH: One more thing, update on our Dykeman Rd discussion from the last meeting. I did talk with Schreiber several times and they have been very helpful and cooperative and they were not really aware that this was an issue. They have prepared something that they will hand out and distribute to their drivers that they commonly get and advise them that it is not acceptable and we will continue to monitor it and see if it happens and if it does they instructed us to get back in touch with them and we can continue to work on it again. They have been very helpful.

Executive Session: 8:50 P.M.
Executive Session Ends: 9:35 P.M.

Kathy Coy: Move to adjourn
Kerri Burrows: Second.
Meeting adjourned at 9:35 P.M.


Secretary