SHIPPENSBURG BOROUGH COUNCIL

August 2, 2016
7:02 p.m.

Present at the Council Meeting: Andrea Lage
Kathy Coy
Joe Hockersmith
Sandra Mailey
John Alosi
Sam Wiser, Solicitor

CONDITIONAL USE HEARING #2016-CU-02; CUMBERLAND VALLEY HOSE COMPANY/68 WEST KING STREET. Transcript attached. Hearing adjourned at 7:18 p.m.

INVOCATION: Joe Hockersmith

PLEDGE OF ALLEGIANCE: COUNCIL

PUBLIC COMMENT: No public comment.

BUSINESS:

CONSIDERATION TO APPROVE THE MINUTES OF THE JULY 19, 2016, MEETING

Kathy Coy moved to approve the minutes of the July 19, 2016, meeting as written. Motion seconded by Joe Hockersmith. Motion carried 6-0.

CONSIDERATION TO REJECT ALL BIDS FOR THE ROWE ROAD PROJECT

President Lage reported that the bids for the Rowe Road project came in higher than they wanted them to be. Joe Hockersmith asked to refresh his memory of what they wanted the bids to come in at? President Lage stated approximately $300,000 less than what the lowest bid came in at and it is with the blessing of PennDot that they are going to out to bid again later this fall or winter hoping for a better price without having the time constraints that this bid package suggested that they need to meet. She further stated that it is also with the understanding that the $500,000 will still be available in 2017. Joe Hockersmith moved to reject the bids for the Rowe Road project. Motion seconded by John Alosi. Motion carried 6-0. President Lage reported that our engineers are seeking other construction firms to find out what would be the best timing and if it would be at the end of this year or the very beginning of next year.

FOLLOW UP OF POTENTIAL FY 2017 CDBG GRANT PROJECTS

Manager Epley reported that at the last Council meeting they went over ideas for the CDBG grant for 2017 fiscal year and he told Council that he would come back with some better prices and a better idea of where they are on certain things. Manager Epley stated that he has had some follow up to the flashing crosswalk signal lights. He reported that Solicitor Wiser has spoken to one of his municipal clients and they have a bar, which is shown in their packet, which would still require the installation of poles on either side but it is a flashing bar as opposed to a flashing sign. Mr. Epley stated that he would recommend that in lieu of the other sign that they were hoping to go with that they pursue this type of crosswalk light for the CDBG request. Kathy Coy asked what the price would be for the one with just the bar? President Lage stated that it still needs to be discovered but in talking with Waynesboro employees they indicated that it was $1,800 for the materials which is immensely different from the cost of the sign. She further stated that she has driven through the area in Waynesboro where they are located and they really are noticeable. Kathy Coy asked if they would still need a permit? Manager Epley stated that he is not sure but will look into it. President Lage stated that they are simply signs in the walkway and do not go into the roadway at all or change the traffic patterns at all. Mr. Epley reported that the poles are already there and they would just be simply replacing the pole with another pole. He further stated that they are going to consult with Waynesboro to get a little more information but feel that they would be getting more for their money and possibly even do 3 to 5 crosswalks at that price. Mr. Epley also stated that if they go hard wired it may be more inexpensive to go that way but getting the hard wire there may be something they would have to deal with. President Lage asked if they would be taping into the wiring for the street lights? Kevin Plasterer stated that it would have to be separate, with a separate service and meter base if they go that route. Mr. Plasterer further explained that on King Street Penelec is all on the left side so we would have to put the electrical base on the opposite side of the street and either droop something over to get to the other side or go under Rt. 11 which would be a big job. Kevin stated that he would rather just go solar. Joe Hockersmith stated that he would rather go solar too but do we get enough sun on both sides of the street to make them work? Kevin stated yes.

Manager Epley went on to report that besides the other two standard requests which are the high crime areas for enhanced police patrols, and Code Enforcement, the other item they discussed for receiving a grant is the roof replacement at Branch Creek Place. He stated that the Strickland quote was $33,000 but another quote they received from Biniek out of Mt. Holly was $82,000, which was quite a difference. Mr. Biniek explained that there is currently 3 inches of Styrofoam on the roof and to go with metal roofing they would have to run 2 x 4's across the Styrofoam running big screws through the wood, through the installation, and into the roof for furring strips to put metal down and even if you do that the 2 x 4's are doing to be moving on top of the roof because of sponging with the Styrofoam and it is pretty risky so very few people will even warranty that type of work, so the $82,000 for the rubber doesn't come close to what it would cost for the metal which would be substantially more. Mr. Epley stated that installing shingles would almost be the same thing with running furring strips and long bolts. Kevin stated that the contractor stated that he is not even sure if the pitch of the roof is correct and that they may have to change the pitch for shingles. President Lage asked what the lifespan would be

for the quote from Strickler? Mr. Epley stated that it would be a 20 year warranty. He further stated that the quotes they have gotten are not quotes that they can accept because they will have to go out for competitive bids and be subject to prevailing wage for these projects. Manager Epley stated that the $87,000 quote is a 20 year full system warranty. Kevin Plasterer stated that they asked Mr. Biniek how long the current roof would last because he was just up there a month ago and did some spot repair. Kevin further stated that he went up with him and they saw pin holes starting to form because the rubber roofing is starting to dry rot and Mr. Biniek stated that thinks they are alright for another year. Manager Epley stated that they do not want to go out for bids unless they are sure they are going to have some funds for the project because it will cost money to bid it out with advertising, etc. He also stated that with a start date on the bid we are not even sure how long they will hold it. President Lage stated that they need to see if they have any other sources of funding because the chances of getting full funding for that line item is slim so we need to determine how committed we are with this project. Kevin asked if they would be eligible for any grant money from the State where ever the Senior Center has been applying? President Lage stated that maybe we should have the conversation with them stating we are willing to ask for the money but we cannot guarantee we will get the entire amount. Joe Hockersmith stated that as the landlords we cannot expect them to use the building with a leaking roof. Manager Epley asked Kevin if have received any complaints about leaking? Kevin stated that there was one a few months ago which he could not find but he is hoping they took care of it when they did their repairs. John stated that they can have someone come in and do some repairs to hold them over. President Lage stated that she is not saying they shouldn't go for it but they need to realize that the likelihood of getting full funding in the amounts that they are going to need is not very high because CDBG funds are highly competitive. She further stated that if that is the case they need to think about where the money will come from. Joe Hockersmith asked if there are any local grants they can tap into or any foundations like the Stewart Foundation or the Hosfeld Foundation? Solicitor Wiser suggested the service clubs may be willing to donate. Manager Epley stated that we have a generous amount of time to initiate these grants so as long as we are making some headway on it they are willing to work with us on a time line so if we ask for the money and then work with the community if we come up short maybe we can get some additional funding. Kevin stated that with those two prices he has no idea where to go and if he will need $33,000 or $95,000. Joe Hockersmith asked if Strickland actually looked at the roof and gave this bid which is virtually the same as the 30 year one? Kevin stated that he would have to look at it word for word to be sure. Solicitor Wiser stated that the Strickland bid seems in line and that they just had two rubber roofs installed at his church and based on the square footage of the two it seems about right. Joe Hockersmith stated that he thinks if the Borough is going to approach some of the service clubs asking for donations they should set a goal of $40,000 and tell them we are hoping it isn't all of that and we are hoping we have "x" amount towards that. Manager Epley stated that if not we can hold it and if they come up with another grant we can use that as the match. Kevin Plasterer asked if he should ask another contractor for an estimate? Solicitor Wiser stated that R & R roofing is local and would probably give an estimate. President Lage stated that even if we go with Strickland and round it at $35,000, we are at $60,000 without any of the flashing crosswalk between the enhanced police patrols, code enforcement and the roof. Manager Epley stated that last year we received $58,500 in total. President Lage stated that if they want the other projects something has to take a back seat or go for a partial funding of something. Manager Epley stated that the gentlemen they

met with yesterday about the roof would not commit to anything but they pressed him and asked what he thought if they just did some patch work and he said you could get away with that for a while and that would be to fix some areas that are obviously bad. He further stated that he feels they have time to deal with roof and he would hate to obligate all of their funding to that project, especially if they come up short and not have the opportunity to make their crosswalks a little safer. Mr. Epley stated that he feels this could be held off for a little while and ask for some money to do some minor repairs. Council directed the Manager to work on the applications for the four projects and look into more realistic numbers for the crosswalks and the roofing project. Kevin stated that PennDot will be repaving King Street and he was told that we could probably have some communication with them and maybe work this work together where we don't have to pay the engineering costs if they could put it on their permit to redo King Street which is supposed to be next summer. Joe Hockersmith asked if it would include some conduit under the street if we wanted to go hardwired? Kevin said it could be, since it would be the perfect time to dig a ditch across. President Lage stated that with that in mind this seems to be the right time to ask for funds for this project. Joe Hockersmith stated that it seems there are a lot of logistics to be worked out. President Lage stated that is why she feels there is plenty of time to work on some of that in a little more detail and have it back for Council at the next meeting.

CONSIDERATION TO ADOPT RESOLUTION #2016-015 DISPOSING OF VEHICLES

Kevin Plasterer reported that we have purchased a new residential garbage truck to do away with the 2008 International and the new one has been working fine since the purchase with the old one sitting at the building. He further stated that they have never used it since the purchase of the new truck therefore he would like permission to dispose of the old garbage truck. Manager Epley stated that there is a new law that was adopted a few years ago that allows municipalities to advertise electronically for the sale of real property but there is still a question as to whether it meets the word of the Code for advertising, etc. He went on to report that he has done some research and what he would like to do is to do the ad in the paper that would cover us for the Borough Code to meet the word of the law and also advertise on a website called Municibid which is free to use of you are selling an item, and also on PSAB. Mr. Epley went on to report that Kevin has looked at the vehicle and has done a comparison of vehicles that are the same make and model and the prices range from $55,000 to $85,000.

Joe Hockersmith moved to adopt Resolution 2016-015 authorizing the disposal of the 2008 International Municipal Waste Truck. Solicitor Wiser stated that he would like to add to the resolution, "whereas and other websites as deemed appropriate by the Borough Manager". Motion seconded by Kathy Coy. Motion carried 6-0.

DISCUSSION/CONSIDERATION TO REPLACE THE LINE PAINTING MACHINE

Kevin Plasterer reported that the line painting machine which has been used to do crosswalk painting, parking lot painting, etc., is over 20 years old and is currently broken. Kevin stated that he took it to be repaired and found out that it would be over $1,000 to get it fixed and considering the age of the

machine he is worried that something else is going to break and does not feel it is worth putting money into because of the age and condition of the machine. Mr. Plasterer went on to report that he has done some research and a new machine is $9,300 however Sherwin Williams has demo units that they sell and they have one that they have one that they will sell to us for $5,250, which he feels is a good deal. Kevin stated that either they purchase another one now or wait until next year and budget for a new one but he does still have some more line painting that he would like to do. Manager Epley reported that they have two items that they can fall back on. He stated that the purchase of a paint machine is a legal purchase through Liquid Fuels or there is a line item in the General Fund budget for summer help that has not been used which is a $6,000 line item. Mr. Epley went on to explain that if they chose to use the Liquid Fuels money they have to be sure that when the time comes that we sell it any monies paid for the purchase would go back into Liquid Fuels. Joe Hockersmith asked if the Liquid Fuels money earmarked for anything else at this point in time? Mr. Epley stated no, it has just been being put back as allowed for equipment purchases. President Lage asked if it can be used for non –equipment purchases but for legitimate liquid fuels expenditures that are not capital? Mr. Epley stated yes, you can use it for any of that. President Lage asked if we should be concerned at all that if we use it on something other than the streets that you would have to account for that time? Kevin stated that he spoke to Rick Levan with PennDot and he stated that if we use it for items like a parking lot for the Firefighter's Activity or anything that is non-liquid fuels we would have to pay that back to the Liquid Fuels account. Manager Epley stated that there are more restrictions on the use of the Liquid Fuels as opposed to the money in the General Fund. President Lage stated that to avoid the constraints of Liquid Fuels it may be better to reallocate the money in general fund.

Joe Hockersmith moved to repurpose budget line item 409.032 from Temporary Summer Help to the purchase of a new line painter. Motion seconded by Sandra Mailey. Joe amended his motion to state, "not to exceed that budget line". Motion carried 6-0.

EXECUTIVE SESSION (CONTRACTUAL MATTERS)

President Lage stated that they do have an executive session during which time they have contractual matters and personnel matters in regards to the police negotiations and other personnel matters. Due to the fact that Council did not feel there would be action coming out of executive session they moved on to Other Business before convening into exec. session.

OTHER BUSINESS

Angie Facchinei stated that she has had several issues with sitting at traffic lights which she has discussed with Kevin and Nicole, one being the light at the end of her street (Park Place) is having a hard time switching over so she thought the sensors might need to be looked at. She further stated that turning left at Sheetz off of Queen Street seems backwards because residents seem to not know it is going to turn back to green again and they just sit there through the lights. Kevin Plasterer reported that last Thursday he was invited to PennDot in Harrisburg along with Southampton Cumberland and Shippensburg Township and reported that they would like to do something with the light coming out of

Walmart and Rutter's and put up left turn signals. Kevin stated that he brought up the King and Queen situation and the PennDot representative stated that they have had several complaints about that particular intersection. Mr. Plasterer reported that PennDot gives him all the permits and the timings to put in the system and he puts them in and that is the way it has to stay however we can request a change. He stated that he has received numerous complaints since that system has been put in and they are looking into it and more than likely something will happen with King and Queen. Angie also reported that her other issue was that when you pull out of Lurgan Avenue and someone is pulling out on King Street at Goodies Restaurant that light switches right away for the turn lane and that makes everyone stop. She further stated that it doesn't seem logical and if they can make it just a line such as the left lane. Kevin stated that the loops are in the street and there is an amplifier for each loop, and the right turn lane is on delay so people can turn so those people can go without changing a light to green but when someone pulls up in the left turn lane it trips it right away.

Kathy Coy reported that she has three or four people approach her over the past two weeks about how well they appreciate the police and fire department but two people complained that as a Council they never do anything to recognize them. She also stated that today is National Night Out and she received a complaint that Shippensburg does nothing to participate in that event. Manager Epley stated that National Night out is an event where the citizens come together with their first responders and police department to interact and is geared towards kids. Joe Hockersmith stated that he would hope that the Police Department knows how much they really do appreciate them. Kathy stated that she thinks that the public would like to see them be publically recognized. Joe stated that he is so glad to see how the public has stepped up to thank them for what they do.

Manager Epley stated that he was asked to inform Council that the Univest Report for the second quarter ending June 30, 2016, is available for Council to review. He also reported that he received a letter from Ballard Spahr that we transfer all the labor and employment files from them to Campbell, Durrant, Beatty, Palombo & Miller, PC because apparently this is from the arbitration from the police from some time ago and the people that dealt with that are now going to be with the new company and have asked for him to authorize the transfer of any and all files related to that arbitration. Solicitor Wiser stated that he does not have any objection to that. Sam went on to explain that they had police arbitration from several years ago and the arbitrator was Ken Jarren from Ballard Spahr and the thinks they are changing their business model a little bit so their labor folks are leaving and going to another labor firm based out of Pittsburgh and opening an Philadelphia office. He stated that he thinks that what they are asking is that in the event if we would ever use them in the future we would no use this new entity.

Mr. Epley reported that he received an email from a Micha from the University would like to get compost for the university farm and the question is, are we going to give it to them and/or are we going to charge them. He went on to state that historically we have donated and they will take as much as we can give them. Kevin stated that the High School has also made the same request. President Lage stated that one of the justifications for the University Farm is that a portion of their produce goes to Shippensburg Produce Outreach so one of Council's thought in the past was that as long as they were

making a contribution to the community in that way we support them by providing compost, but that being said she didn't think they ever envisioned an unlimited supply or what our current compost supply looks like. Joe stated that he thinks we need to set limits also but wondered what the status of our supply currently is. Kevin stated that if they are looking for tanbark, we just ground up our huge pile which is nice quality and has been ground three times, but if they are looking for compost we do not have any at this particular time. Kathy Coy how much we have given in the past. Kevin said he has no idea because there is no record of what we gave them. President Lage stated that she would have no problem giving them a scoop which is the three cubic yards. Kathy Coy stated that she feels we should tell them that it would be based on availability. Joe Hockersmith stated that he is good with that and if Kevin feels there is enough he is fine with giving them a scoop for free. Council discussed the request by the High School and determined that they can get what they need but will pay the current rates for mulch and compost.

Manager Epley explained that we only do week spraying on certain streets in very limited quantity and right now the weeds have taken over. Kevin stated that he had our contractor spray King St., Orange Street, Burd St., and Earl Street approximately two weeks ago and right now he is having an employee go along and weed whack what was sprayed since it is mostly all dead and then the street sweeper will come along in the next two or three days to gather it up. Kevin further stated that in the past they would receive a complaint and we would go spray but what he is trying to find out is if Council wants to start allowing funds to be budgeted so we can do it on a regular basis so that our town doesn't look iike it does right now. Manager Epley stated that they are aware it would be a budgetary item for next year and for the rest of this year we will do what we need to do to get it taken care of. Joe Hockersmith stated asked if the weeds that grow up between the concrete and the paved part of the street will be the Borough's responsibility? Manager Epley stated no. Joe pointed out that that is what we will essentially be doing. President Lage stated that a spraying program for the entire Borough would be astronomical in cost. Kathy Coy stated that the downtown area is the worst. Solicitor Wiser stated that maintenance of the sidewalk is a responsibility of the adjoining property owner. Manager Epley stated that when it comes to budget time they can talk more about what Council would like to see in the future for weed enforcement and what the Borough is going to do about it. Solicitor Wiser stated that Chambersburg, Waynesboro and some of the other municipalities and townships that are more progressive in these areas have gone to what we did with the snow policy and incorporated ticket type concept and made it a little more covering in its application as opposed to the old generic reference to the 10 inches in height which is something Council could also consider. President Lage asked Kevin Plasterer if it was more effective to do the weed treatment or seal the edges? Kevin stated that taking care of the weeds would be the best because sealing would be very costly. Kathy Coy stated that they could put it on the Town Hall Meeting as part of the discussion for reminders for property owners and what their responsibilities are.

Manager Epley stated that he has provided the information LED street lighting and it was brought up wondering where we were at with that so he wanted to let Council know that even with the rate increase that is potentially looming there still is potential savings to the Borough to go to LED Street Lights. He further stated that they would like to come back to the next meeting with more information

as he has just learned that Shade Gap now has complete LED lightings in their town and we were told to go and look at them since the wattage of the bulb will be very similar to what we would want to go to here. Mr. Epley stated that once they are able to go and look at them they will be able to provide a more thorough report to Council and discuss where they would like to start with the LED street lighting if that is the route that the Borough wants to go.

At 8:30 p.m. Council went into Executive Session to discuss contractual and personnel matters. Council returned from Executive Session at 9:15 where they discussed various personnel matters including negotiations with the police as well as other contractual issues with no action to be taken.

ADJOURNMENT

There being no further business, Kathy Coy moved to adjourn the meeting. Motion seconded by Joe Hockersmith. Motion carried 6-0. Meeting adjourned at 9:15 p.m.

Secretary