

SHIPPENSBURG BOROUGH COUNCIL

October 21, 2014

7:00 PM

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

INVOCATION: Bruce Hockersmith

PLEDGE OF ALLEGIANCE: COUNCIL

PUBLIC COMMENT:

Andrea Lage: Is there any public comment tonight?

Scott Brown: President of the Shippensburg Chamber of Commerce. I am just coming back to you in regards to the Bloom Festival. What we did is had several discussions with the Chamber of Commerce Board as well as others in the community. We have been talking about the idea that some people didn't feel comfortable with closing the street. They wanted it to remain open. There has been a couple of recommendations that came back to us and in fact in this meeting also that we would leave the streets open and have the vendors on the sidewalk. A lot of people were not comfortable with that and they felt it was a safety issue. The Chamber Board instructed me to go and talk to businesses and get their feedback and see what they were thinking. So I put this one sheet together that says we support Shippensburg Chamber in their efforts in regards to the Bloom Festival being held on Saturday, May 2, 2015 and then it gives the times. Then we understand that King St. from Penn to Fayette will be closed. Would you sign with your support for this endeavor? We have six businesses on here that has agreed in support of it so I wanted to pass this on so you can see who they are. I think that we have done our due-diligence and we are not sure what to do next. We are just saying that we went back and we feel like the street needs to be closed and we want to proceed and do this event in the spring.

Kathy Coy: Are they six Chamber businesses?

Scott Brown: Some of them are.

Kathy Coy: Thank you, I was just curious. The date was again?

Scott Brown: May 2, 2015

Andrea Lage: Is there an implication that the business that did not sign are not in support or is it that they were simply not available?

Scott Brown: I didn't go to every single business.

Joe Hockersmith: Is that for Council to keep?

Scott Brown: I will make a copy of it. For those businesses that did sign it we gave them the scenario that you wanted me to go back and get them to sign it. They did say we want it downtown.

Kerri Burrows: This question was already asked but I will ask it again. Has the Chief been involved with this discussion and what issues it may cause as well as public safety goes?

Scott Brown: We did have a conversation with Randy O'Donnell and he did indicate to us his unrest about the streets being closed just like the Corn Festival. He is on pins and needles until the street is back open because of if there is a fire and they can't get the apparatus where it needs to be. We would use that same plan that the Corn Festival has in place.

Kerri Burrows: What about EMS and Police?

Heather Franzoni: The Corn Festival plan has been implemented and reviewed so many times that we wouldn't be able to just copy and paste it would have to be dropped and looked at it. It is a whole different outlook on our part.

Chief Scott: We adjust to whatever you say.

Joe Hockersmith: Who decided that it was safer to close the street then to turn it inward to the sidewalks? You cited safety there.

Randy O'Donnell: The people at the Corn Festival the liability that is on the emergency services and the municipality is great and we have been very fortunate over the past years. It is not just a downtown fire it is anything within the community and outside the community. Shutting down I81 as happens, what do we do with that traffic? We use Orange St as our access for our traffic through town while there are events going on. If I get an emergency on Orange St then we are really in trouble. From the emergency standpoint I don't like it. I love the event as a citizen and I am a member of the board but as an EMS Chief I hate the day it starts until it is over. One of the things that we did discuss with Scott is that if they would turn in the vendors toward the sidewalk if that could appease the downtown business and then maybe keep some of the traffic off of the street if we would have to re-route traffic or use emergency services in the borough. That was my initial thoughts.

Kathy Coy: So, you support the thought turning them in?

Randy O'Donnell: Yes, turning them in but keep the street closed.

Kathy Coy: Okay.

Kerri Burrows: Scott, what were some of the concerns from the Chamber Board about turning the tents inward?

Scott Brown: As far as leaving the streets open and turning them inward, the concern was people randomly going in-between tents, crossing the streets, people can't see blind spots, the amount of people on sidewalks. They just did not feel comfortable. We had one of the folks from Gannon she I won't have anything to do with it if the streets are being left open.

Chief Scott: From that point the police department would have objection. Traffic coming down the road with people there.

Joe Hockersmith: I am wondering if keeping the streets closed and turning the tents in isn't the compromise we were looking for.

Scott Brown: Our point isn't whether the tents are in or out. That doesn't matter; the point is whether the streets will be open or closed.

Joe Hockersmith: Right.

Kerri Burrows: The downtown business that weren't for it Joe were against the street being closed period.

Joe Hockersmith: I think that we have to look for some common ground here and that is maybe a good start.

Andrea Lage: Okay, perhaps at this point do we have further questions for him or should we acknowledge that they have taken the steps to do some more research and then put this on as an agenda item or to a committee to discuss the details.

Joe Hockersmith: Maybe an agenda item for the Town Hall?

Kathy Coy: I think we indicated that we would be able to get everything back to them. I thought so anyway.

Andrea Lage: I think it needs to be an agenda item for the first meeting on November 6th. Thank you. Is there anyone else to address Council? Moving on.

REPORTS

Mayor:

Mayor: I will have comments to make on the proposed ordinance 14-907. I have a question or comment on 14-905 requiring criminal background checks every 90 days. Was it the intent or is it the intent of this ordinance to add to additional operating costs of food vendors by requiring them to spend every 90 days \$10.00 to get a background check? I am referring to Goody's.

Sam Wiser: I will have to take another look at the ordinance but I do not think that was the intent. I thought that there was a part that provided for an annual license.

Mayor: Okay, there seems to be a contradiction in requiring every 90 days a criminal background check then there is in section 2 page 3, the permit shall be valid for period of 30 day except non-profit or food truck or trailer permits that are valid for one year.

Lance Hoover: I think that the reason for that was that there could be a variety of different drivers in that period of time and they do have direct contact with the public. I believe that was the intent. Not singling anybody out.

Mayor: I think Mr. Foltz has been doing this for around 50 years or so. He does object to having a criminal check every 90 days. The only thing that I could read into this is that they are required to provide an updated criminal history check to the Police Department every 3 months while the permit is valid and in place. Failure to provide this information will be grounds for revoking the permit. Now, if you don't check to see if there is a permit, then what? If he doesn't renew his permit every 90 days?

Andrea Lage: The permit doesn't need to be renewed every 90 days.

Mayor: I am sorry, the background check and nobody looks at it?

Sam Wiser: Well, that would be up to the Chief to enforce that issue.

Joe Hockersmith: It seems to me that it could be the language. Maybe we could amend the language to allow for a sole-perprietor or operator where you are not having different operators running it.

Chief Scott: We have another food truck getting ready to come. I got one coming in town now.

Lance Hoover: A large degree for the reasoning that it was placed in front of you is because of the concern of multiples that are planning to come to town. It will go well past the gentlemen from Goody's.

Kerri Burrows: It was by the Chief's request that we review this.

Chief Scott: Some require 30 days.

Lance Hoover: In regards to the food truck area we didn't have much of anything at all.

Joe Hockersmith: It does seem excessive every quarter.

Mayor: I know, but.....

Sam Wiser: How much does it cost?

Mayor: \$10.00 and you do it online. It increases his cost of operation by \$40.00 per year. Plus the inconvenience of having to go to the computer and print it in and get it renewed.

Kathy Coy: We have been fortunate since we have the same company but at the same time with new people coming in we don't always know them. I think \$40.00 per year is a good idea.

Mayor: This confuses me when I read this because the timeline the permit shall be good but of course that is handled later on in the ordinance for food trucks and peddlers. Anyhow, just had the complaint. Now, further in continuing my report I have had complains from numerous citizens in the West End of Shippensburg and I know that it goes on all over town about vehicles with altered or loud mufflers. I am making every attempt to find some way that we can bring those loud conveyances into compliance as far as state law goes. We really can't enforce it under our local laws because we don't have an enclosed area and a decibel meter and things like that. I will continue to look to our representatives and senators in Harrisburg to change legislation so that we can do something about this excessive noise. I think it falls to the District Justice to have something done about this.

Kerri Burrows: It is also a huge enforcement issue. How do you enforce something like this? It puts a huge burden on the police department.

Chief: We would like to have it go back to inspection. You can pass inspection with altered exhaust.

Kevin Plasterer: I am pretty sure that inspection agencies can no longer inspect illegal mufflers.

Mayor: That was one of my questions, how can we come back on the people who do inspect the vehicles with altered exhaust system?

Lance Hoover: There is a difference between illegal and alter. You can buy all sorts of things that are legal but tremendously loud.

Mayor: Then we back to the definition of.....

I did attend the Borough's Association Meeting in Gettysburg over the weekend and brought some things back for the manager to look at and a paper that talked about profanity and noise in a council meeting, etc. Thank you Council for allowing me to attend that.

Finance/Budget:

Andrea Lage: This is on the agenda.

Employee Relations – n/a

Transportation:

Kerri Burrows: We have several items on the agenda.

Public Works/Property

Kathy Coy: The meeting for October 27th will be canceled. We will reschedule in November.

Planning / Zoning

John Alosi: I will be attending the Tri-County Regional Planning Commission meeting on Thursday.

Technology

Angie Facchinei: I saw that Lance has updates regarding the website but I will attend a meeting tomorrow for social media and I will bring that information back to Lance.

EMS

Heather Franzoni: For September we had 61 calls in the Borough and 28 of those had a paramedic on board and enroute to the hospital. October to date we have had 50 calls and 13 of them ALS rode to the hospital. Lately we have been running 3 medics on the weekends. Homecoming we will have all 3 and close to 6 BLS units on that night. Hopefully we will be ready this year. We met with Pleasant Hall and Newville and we officially have that entire minus a little bit in Pleasant Hall which is Green Township. We will continue to monitor data coverage over that to make sure that everything is being covered for high peak times and we have an extra EMT stall member during the day then also on Friday and Saturday nights now to bring the medic unit back. We have been trying to up staff and have volunteers ride along. We also met with Pleasant Hall tonight and Shawn met with Newville earlier are going to do the joint subscription mailer with both of them so it should be out by the end of this year or the beginning of next year. EMT class started last month and it is going really good. We have 20 students strong. We are doing a Fall Bingo at the Episcopal Towers next month. We are collecting prizes and food and things.

Fire Chief:

Randy O' Donnell: You should have a copy of the report. Shippensburg Fire Fighters website is up which we are using for recruitment retention.

This weekend we are going to Schreiber Foods for a tour of that facility and early next year we are doing a multi-jurisdictional drill with EMS and Police, Fire, Cumberland County will be involved and all the townships around it. It should be a pretty good event next spring or in that timeframe. I just sent an email to the Police Chief and the Mayor. We have an issue that is coming up with the Fire Police. Right now I have 9 to 12 active fire police and the problem is that I only have about 2 that live in town. The age of the fire police and no one joining the fire police program it is becoming a problem. One of the problems that

we have had is that when we go to a structure response in town is that we have no one to protect us and secure the streets. We had a call on Earl St and we had cars coming back and run over the hose and hit a couple fireman. It is a dire problem. It takes 15 to 20 fire police to do the Halloween Parade. We had to call the mutual aid people in to help out. It is a problem that we have to monitor. That type of work people do not want to do. It is a thankless job.

Kathy Coy: Do people know that you offer to train them?

Randy O'Donnell: We put an article in several months ago and sent it to the social media and the media events. It is on our website, etc.

Mayor: Within the next two weeks I will try to get us together and discuss possibilities to do a little brainstorming as to what we can do as far as protecting our people who are the first responders. I have to say this, 20 years ago when fire equipment was coming east on west King St. I would get on the corner of the intersection of Morris and King St and see that the West End got through. I would not do that today. That fact is that it is extremely dangerous in the hopes that the person will stop. There are way too many distractions.

Randy O'Donnell: If a Fire Police would get killed in the line of duty they do not receive any of the benefits that the fire fighters do which is completely..... There are probably 10 fire police killed per year. It is a dangerous job too.

Sam Wiser: It is very difficult because there are limited persons who can direct traffic, not everybody can jump out there and start directly traffic. Many municipalities have been facing the same problem with special events and parades and things of that. The only creative thing that I have heard of recently is that Chambersburg appointed auxiliary police which you are allowed to do and they are paid for the time period for which they work. They are trained in directly traffic with limited power. They are paid fire police officers. That is something that whomever the committee could look at.

Chief Scott: Who is in charge of them?

Sam Wiser: The Chief. The police chief.

Kathy Coy: Who are they paid through?

Sam Wiser: The borough. Then whomever is hosting the special event then they will be reimbursed.

Kerri Burrows: They can hire private companies as well and then they can forward the invoices to them. Then the borough doesn't have to get involved with the billing.

Andrea Lage: Alright, thank you.

Emergency Management Coordinator

Andrea Lage: Welcome

Dave Lindenmuth: Thank you. I am the acting Emergency Management Coordinator so I would like to thank Council and the Mayor for allowing me to serve in this position. Just a little bit of background here, I was the Deputy Coordinator for Tom for 10+ years. I have been a volunteer fireman since 1989 and a life member of Vigilant Hose Company. I think right now is a good time for a transition because the County is moving from a written plan to a computerized plan. I have gone through the training for that. Everything is safeguarded with passwords and thing such as that. It is shared with the County and it is shared with PEMA and last night I set it up so it is now shared with Southampton Twp. and Shippensburg Twp. We are still waiting for Franklin County to get on board. Also, other local plans are accessible to me. Such as the school districts plan, assisted living type places, etc. We have our emergency operations center that we set up at Vigilant Hose Company, Ship EMS in the conference room. I have met with all the other coordinators. Kathy Coy and I are headed to public information officer training next month. It is a PEMA class that Franklin County is offering. It will be an interesting class to talk a lot about working with the media when there is an emergency, rumor control and social media. The only point of business or thing that I need to ask Council is local government recommends a EMC then it goes to County level and they forward alternate information and then PEMA who then forwards it to the Governor and then he gives me his blessing or not. What needs to happen is that Shippensburg Twp. has appointed me as their EMC and I have copies of two things. One is PA Title 35, section 7502 under C,

you need to have an agreement with Shippensburg Twp., stating that you know you are sharing me with them. Also, PEMA provides local municipalities with a template so I should have enough for everybody there. So, that is what I have.

Andrea Lage: Is your intent on this that we could take up a resolution at our next meeting or is it your intent that we act tonight?

Dave Lindenmuth: No, PEMA is familiar with this process and that it could take a while. They are fine with that.

Mayor: Is Shippensburg Twp. amenable to sharing?

Dave Lindenmuth: Yes.

Andrea Lage: Okay, then we will see that we have to follow through.

Park and Recreation Advisory Board: n/a

Solicitor

Sam Wiser: Nothing at this time.

Police Chief

Chief: We had another armed robbery behind Sheetz the other night. There was a very poor description. Weapons are being involved now and not only here. Please try to get a description as best you can because that will help. We are encouraging Mothers and Fathers to pay attention to their children. There have been sexual assaults within families as well as outside of families. If there are any questions we would appreciate if they come to the police department with anything that they might have. Homecoming is this weekend. The Sheriff is coming down to help us and the State Police bringing down their mounted details Friday and Saturday night. I ran into an issue with the US Express. It seems like the truck drivers are not using common sense and they are using their GPS so before they leave the parking lot they are plugging in their GPS for going north and they are telling them to take Scotland Rd in to Fayette St and then Rt. 11 to go north instead of coming out. I asked Doug yesterday to put up a sign telling them to turn left and get up to Exit 24 and then they can go north or south. A while back I asked Kevin and Lance if they would put up a blinking light on the Schreiber sign on Scotland Rd on both sides and it seems to be working.

Mayor: The situation about the robbery, it was an attempted robbery is that correct?

Chief: He got hit on the head a couple of times but he wasn't giving up. The guy didn't shoot him but he did hit him upside the head a couple times.

Mayor: He didn't take anything from him. That is probably not a good thing to do.

Rebecca Yearick: When you say Sheetz, is that behind the property?

Chief: No, it was on Martin Ave. Past McDonalds on Martin Ave.

Kathy Coy: To tie in with that there was a tractor trailer that came up on Burd St and they wanted to make a turn and they ended up bending the roof on the house on the corner of Burd and Earl unless they caught the roof.

Chief: Yes, the wood was sticking out the side of the trailer.

Kathy Coy: He is the one that I was talking about. He came from US Express and was trying to find I81 but the GPS said come down this way and then the traffic was blocked for the parade.

Andrea Lage: Thanks for your report Chief.

Manager

Lance Hoover: The pedestrian walkway. At this point in time it is about 75% complete.

It is done and it is stamped out. The electrical conduits are done but they are estimated by the end of the month. So far, I would say that it has turned out pretty well. They will do the landscaping and the benches.

Andrea Lage: When will the lighting be part of that?

Lance Hoover: At the end. Once they have everything done.

Chief: Will the benches be bolted down?

Lance Hoover: Yes. If not, they might walk away.

We have an update on sanitation. They did start construction / demolition on the senior center on Monday. There is a job meeting tomorrow for the subs and the workers. I assume everything is going pretty well but it is early on. As part of the funding goes they are now comfortable that they have enough funding that they have authorized our project to go. It looks as if they are on schedule for some time in the spring. The only other thing is that we have a few students here from the University and I want to thank them for coming in. I did take a little bit of time this afternoon to take a class on tour of the treatment plant today. I talked about our operations and some of the things that we are facing and the things that we can look forward to as well.

BUSINESS

CONSIDERATION TO APPROVE THE MINUTES FROM OCTOBER 7, 2014

KB: Motion to approve the minutes from October 7th.

JH: Second.

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

PRESENTATION BY REBECCA YEARICK CUMBERLAND COUNTY HOUSING REDEVELOPMENT AUTHORITY

Rebecca Yearick: Here are some of the highlights. The former Pizza House property at 102 East King St is sold. I know last time I was here you were approving the signage. What you may not know that the owner of the building also owns a grocery in Newburg. They have burritos and pretzels. They will have dine in seating and they will not have a wait staff. Demi's clothing is where Déjà vu was, they are not the people that purchased the Déjà vu business. This is a different couple all together. They have new and used and renewed items. Amanda Chan has signed a one year lease. This is the Trends in Ship store. The property at 7 N. Fayette St is a lease, it is available to rent. The Shippensburg Historical Society board of directors voted to give their approval to permit the painting of a mural on their W. King St property. The design will have transportation themed. Cumberland County Visitors Bureau is Wednesday, November 12 at the Catering Barn in Mechanicsburg. If you want to register to attend you can by contacting CVVB at 513-5130. Community Development Block Grants (CDBG) Shippensburg Borough applied for funding totaling \$63,500 and was approved for \$50,000. You can see the items that were approved. Land Partnerships Grant Program. We will be meeting November 4th to review applications and make recommendations to the Board of Commissioners. There were 15 applications. You were kind of in the middle. One of the nice things about this program is that you have 2 years to accomplish your programs.

Cumberland Valley Trail Connections Partners. They meet quarterly. We meet in Carlisle but there is no representation from the West Shore. There are county officials there, from trail groups and other interest groups. The Cumberland Valley Rail Trail has benefited from all of this. My suggestion was, I contacted your Borough Manager and said we should have representation here. So, he will attend the January 8th meeting and see what it is all about. We would like for Shippensburg to be represented. Small Business Saturday is November 29. Our material for this have already arrived and the Chamber has already submitted them along with DOIT. 2015 Downtown Program Services. This year we are working with five downtowns. Carlisle, Lemoyne, Mechanicsburg, New Cumberland and Shippensburg. These are all in Cumberland County. I would like you to think about the possibility of assisting DOIT. Most of the communities that we work with and traditionally this has been the case. The municipality pays that participation fee. Now Cumberland County puts in part of the funding, the Redevelopment Authority provides part of the funding and then the participating community pays another part of the funding. It

used to be based on your population it was \$7500.00 per year. A couple of years ago we said that didn't make a lot of sense. Now, the criteria has changed and we reduced it by 50%. Now it is \$3750.00 per year. So as you are working through your budget I would ask that you consider either a direct contribution to the Authority to continue those services or a contribution to DOIT on behalf of the downtown to lighten those services. That is what I have. Anything for me tonight? Thank you.

CONSIDERATION TO APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN LOCAL MUNICIPALITIES, SHIPPENSBURG UNIVERSITY AND LOCAL FIRE DEPARTMENTS

Andrea Lage: We look at this each year as a base agreement. One thing that I would say is this is seen as a minimum and in the past we worked to provide small increments of increase to what we provide so that in the case that they ask for more which we know that they will sometime we would have already incrementally reached that point and holding at the same amount that they asked.

Joe Hockersmith: Where are we right now as far as our current and this past year? Was it this amount?

Andrea Lage: I thought that we gave a couple thousand more than that.

Nicole Bard: \$73,328.00

Andrea Lage: It has been going up a percent.

Joe Hockersmith: Motion to sign the agreement.

John Alosi: Second.

Andrea Lage: Any further discussion? Motion carries 6-0 with the understanding that we can talk during budget about the actual amount.

DISCUSSION REGARDING TRANSFORMATION OF SOUTH PENN STREET TO "ONE-WAY"

Lance Hoover: This is probably meant to be a brief discussion than anything in depth. The possibility of transforming the one block of South Penn St. to a one way. Kevin and I have met a couple of times and talked about the engineering proposal and talked with Penn Dot. The way that it lays it and I think it does make sense; In Penn Dot's eyes they would like to see that study done by that engineer rather than us doing some pieces and them doing some pieces and really I think that the engineer would feel much more comfortable with that. That puts us in a position where we need to wait until next year to do the study and Council's considering. We could potentially request grant or block funding to cover the study. We could also place that one as part of our liquid fuels project as well. Liquid fuels would cover the cost for that study also. There are a couple options but I think we are still at the same position where the study needs to be done to justify the work. That would have to go to Penn Dot for their approval if and when they gave it they would give us the criteria for signage, traffic lights and everything that would go along with the project itself. Again, that cost for the study is \$11,900.00. We have not budgeted for that this year. I did want to provide that update and should we decide to do it we need to provide the study.

Andrea Lage: Correct me if I am wrong, but do we not have another possible use for those liquid fuels funds? Seems like we were talking about using that to help fund a larger project?

Lance Hoover: Correct.

Andrea Lage: I would caution Council to count on that for some sort of funding.

Lance Hoover: We do have many projects that we do under the liquid fuels. Repaving, resurfacing, storm drain work and it does cover a wide variety.

Kerri Burrows: But, it is not happening for this winter. There is no harm, no foul for waiting until 2015.

Lance Hoover: Right, there is no funding to do it at this particular time. It is more of an update to let you know. That will be the next step to go that direction.

Kevin Plasterer: Just keep in mind that we should do it when High School and the University is in session.

Lance Hoover: That is a good point.

Andrea Lage: Okay, thank you for the update. Does Council have any further questions or discussion?

UPDATE REGARDING SINGLE STREAM RECYCLING PROJECT

Lance Hoover: I am not sure if you noticed or not but the new recycling truck is in the parking lot even though it is dark now and rained. We did receive the truck and it is lettered and I do believe that the radios are switched. We are going to put it in service Thursday. As we talked about things there are steps that we are going to take and we haven't received all the containers and they are on order. The ordinance needs to be update and there are a few other steps that will follow but there is nothing to stop us from placing the truck in service. People will put out the recycling separate or not and we will collect it and dispose of it accordingly. The next step is the containers have been ordered as we talked about it, we have received a shipment of the smaller containers now so we do have all of those and the larger containers are expected both from Apple Valley and from the manufacture within the next two weeks. I know that Kevin, Nicole and I have talked at least a little bit about the game plan to sticker then and distribute them and that will happen sometime around the beginning of November. We are working on putting together the public education kind of information and the concept there is we are going to have a 2 sided page. The front side will give a little bit of the basic updates on what we are doing. This is a FAQ page. The back side will be the most important because that will go through what can and cannot be disposed of. It is intended to be something that can be on the refrigerator or wall somewhere visible and what they decide to do with it. We felt the best way was to place it in the containers upon delivery. So I have a meeting scheduled with the local newspapers tomorrow and we will go through why we did the project and what we are looking to do and how the services will improve the rough game plan for the delivery and more importantly than anything else it is important to get out that we will be delivering containers and the important information will be inside the container and that we are set and ready to move forward. Any questions of this? We have contacted Apple Valley and they are willing to work with us for disposal even though we set the contract to be the beginning of January they are willing to work with us and allow us to get an earlier start. I think that our first load will actually go Thursday. They did request that we take a load down so that they can demonstrate the correct way to dump as well as part of our onsite training. If it works out well we will do it once a week probably a Wednesday.

Andrea Lage: Sounds good.

Joe Hockersmith: I am excited to see how it goes after a year or so. I can put any of my recycling in any of my three containers?

Lance Hoover: Yes. We have been updating the website. As the ordinance gets done it will hit the website and others so that people do see it and understand.

Kerri Burrows: I am ready!

Lance Hoover: You should expect that the first meeting in November we will have the ordinance on for discussion and hopeful for approval to advertise. I will be sending out a final revised version to everybody probably next week. You can let me know if you have comments on that and let me know please. I think that is it.

CONSIDERATION TO ADVERTISE ORDINANCE 14-906 AMENDING CHAPTER 144 ENTITLED "VEHICLES AND TRAFFIC"

Lance Hoover: This particular one is something that we talked about last winter; the Transportation committee has met a handful of times and talked about it. What you have in front of you is what I feel is a much more simplified version of what we were trying to accomplish. We did remove some of the phases because largely I am not sure how much was understood or knew what we were trying to accomplish. It does get difficult with the television stations and the radio stations for them to understand what our phases really mean and to get them to convey that properly. We looked at changing the streets as far as the snow emergencies go we added no parking in a couple sections and on the one side of Fort St. Again, that is just during the emergency to allow the streets to be cleared. It is simply that direct period when we are under a snow emergency or a weather emergency. It is certainly open for discussion and or comments. I am not sure what the Chief would want to add. Hopefully an approval to advertise.

Mayor: My first question is who according to the Borough Code is permitted to declare a State of Emergency or a winter weather emergency?

Sam Wiser: The Borough Code refers back to title 35 regarding proclamation of emergencies and emergency management and it says that the Mayor or the Chief Executive Officer with affirmation from the governing body. It mentions those three entities.

Mayor: Does that mean the president of council, the Chief executive officer?

Sam Wiser: I believe that our ordinance provides that the manager is the chief executive officer.

Mayor: Okay. I don't have any problem with this at all. What I do have a problem with is if it interferes with the Borough Code on who can do what then I am concerned about that because it could possibly be constitutional.

Sam Wiser: The only other thing that I added is....

Lance Hoover: So it does or does not conflict?

Sam Wiser: It does not. The other thing that I added is changing of article 5 to Winter Weather Emergency just to make that term consistent throughout. Substantially it is the same as what you have in front of you.

Lance Hoover: Sam and I talked a little bit about this and he expressed just a couple thoughts to me which seem to make a lot of sense and simply I thought we could bring that up in discussion which we did tonight.

Kathy Coy: I will make the motion to advertise as discussed ordinance 14-906 amending chapter 144 entitled Vehicles and Traffic.

Kerri Burrows: Second.

Andrea Lage: Any further discussion? There is a motion by Kathy and a second by Kerri to advertise Ordinance 14-906 to change our Vehicles and Traffic Code as amended and discussed.

Kevin Plasterer: The way I see it is the snow emergency, it does not mean removing the snow from those streets it just means making the streets safer to pass.

Kerri Burrows: Kevin, that is something that we will bring up at our Town Hall Meeting as well.

Andrea Lage: If you think simplifying it and not having the three phases makes a lot of sense.

Mayor: The only other comment I have is, to determine that it is a winter weather emergency I think probably it would be much better just to call it a winter weather conditions or something like that.

Sam Wiser: Yes, any term that we want to use.

Mayor: Emergency indicates that there is something more..... we have winter weather here every year and it is nothing out of the ordinary.

Andrea Lage: It is not always winter weather conditions will have this response.

Kerri Burrows: I think emergency is needed and necessary because essentially we are telling people we Need them to remove their cars. So, it is an emergency.

Mayor: Yes, okay.

Kerri Burrows: I like the word emergency.

Andrea Lage: Alright we have had a motion and a second. Motion carries 6-0.

CONSIDERATION TO ADVERTISE ORDINANCE # 14-907 AMENDING CHAPTER 144 ENTITLED "SNOW AND ICE REMOVAL"

Lance Hoover: This probably does warrant some additional discussion. There are some questions on how this can effectively be done. The concept is that we had a lot of questions and complaints last year. The idea was to allow some time for people to pay for those. It comes down to the Police Department's ability to offer that time and could it be considered a ticket can it not? This is for discussion.

Sam Wiser: Let me jump in on the language as presently written. It says the police department issues a citation and once the citation is issued you have 10 days to pay it. The problem with that is that the police department is required to provide the citation to the District Justice within 5 days. If it is paid prior to being provided to the District Justice then the police department has extra paperwork to discontinue a summary action. There would be a lot of administrative work even if we made it a 5 day time period.

There is an option of a ticket. The Chief will probably provide his thoughts on this as well. Waynesboro and Chambersburg have gone to the ticket process and it is enforced by their Code Enforcement Officer and not necessarily by the police department. So, they have a ticket that is issued by the Code Enforcement Officer and it is not paid in "X" amount of time then the police officer will issue the citation on behalf of the municipality and institute the legal process that way.

Kerri Burrows: Why can't we do this the same way we do street sweeping?

Sam Wiser: Street sweeping is a little different because we already have an ordinance that set up a parking ticket for street sweeping. That is a parking violation and that is provided for the vehicle code as well as the sub-portion of Chapter 131.

Joe Hockersmith: This is a sidewalk issue.

Kathy Coy: I just think that our police department have much better things to do than cite people for their sidewalks ice. My question is how many more hours would be talking for that for the Code Enforcement Officer?

Lance Hoover: I think the little bit of hesitation that I have with Codes is that our schedule now is Monday, Wednesday and Friday's for 4 hour periods. It seem unfair that if we get a snowstorm on Monday which would then be checked on Tuesday nobody is available to check it and those that did bust their rear-end and get things done and those that didn't are then allowed. Well, it is just a timing thing.

Kathy Coy: Is this something that they could just come in on?

Lance Hoover: The thing is that I am not sure about their schedule with other municipalities as well. We are under contract with that particular group. I am not sure what the availability would be for Donna or someone else to be able to come on a call.

Mayor: Can we deputize Ed Hewitt as a Code Enforcement Officer? He goes out and does the street sweeping?

Lance Hoover: We could.

Mayor: It is my recommendation if it is at all possible that we put this under Code Enforcement rather than Law Enforcement because as Kathy says the police department has enough to do without worrying about this too.

Kathy Coy: I don't know how many hours but I am sure that it has to be so many man hours taken to do that and I

Mayor: The other point is that by going under Code Enforcement would improve the situation because often time the Chief is busy and can't get there within the number of hours and it sometimes goes on for days before the citation is issued.

Kerri Burrows: Then it appears as though we are being unfair with our citations.

Andrea Lage: I do think that we ended up with a lot of complaints last year from residents that were appalled at the actual costs and we had sympathy for those residents when they came in and this is the attempt to address that concern. The Chief brought up the number of hours that would be involved because it doubles the number of hours.

Chief: There is a simple resolution, clean the sidewalks!! If the snow stops and I was out there waiting for them then I could see the complaint but that is not the case. I have other things to do and I do that when I can. Sometimes it is 30+ hours before I get there.

Kerri Burrows: I agree with you. I think that the perfect solution to this issue is clean your own sidewalks if you are able and clean your neighbors if you know that they are not able. It would be perfect utopian society and we wouldn't have to worry about it. The unfortunate thing is that is not the way it works and the complaints that we were getting last year weren't generally from people who were not cleaning sidewalks they were people who thought that they were making an effort to clean their sidewalks and people were driving snow back up on their walks and then they were being stuck with a \$300.00 fine. That was their issue. It wasn't that they got cited it was the cost that it had become.

Chief: The Borough has no control on that, it was the state.

Kerri Burrows: We told them that but this is just our way of trying to help.

Chief: I got into this 12 years ago because the Code Enforcement Officer didn't want to do it. Some lady broke her leg on S. Earl St. It is a pain it takes time but I do it because I do not want my officers in that mix of "maybe I didn't do it this much, or maybe I did it this much" then there is no discussion it is just one on one and I don't have to worry about one officer doing it this way and another doing it that way. If you want to give it to the Code Enforcement Officer there will be no tears shed here.

Lance Hoover: What really is involved in that?

Sam Wiser: Designating an individual or entity as a Code Enforcement official or Deputy Code Enforcement official. The real concern is that them being able to issue citations. I think that we need to testify appropriately. Maybe you can work on that and see if there is somebody that can fulfil that and then bring that back.

Kathy Coy: It would be nice as well as a curtesy, some people have called me that are in their late 80's and 90's and they have trouble getting out to get them cleaned. Is there a way that we could publicize on the website people who would be willing to help out elderly? I don't think that you have that problem with the elderly it is more of the absentee landlords. I know, but I am wondering if that is something we could put on the website somewhere for phone numbers for people who do the sidewalk cleaning for people who cannot get out and do it?

Lance Hoover: We would have to be careful to not endorse anybody.

Kerri Burrows: Last year the University Student Council did it and they did it for free or a \$10.00 donation that was donated to United Way. I also believe that the Thought Lot did it for free. Maybe if we post people who are willing to do it as a community service.

Kathy Coy: I think it would be a good idea to put it out there so people could at least give them a phone call.

Kerri Burrows: Also, neighbors pay attention.

Lance Hoover: Certainly. In the next meeting I will place some results from a RFP in front of you for what we did for our nuisance services if you will. We can post those particular people as well.

Andrea Lage: Okay, so we will bring it back after we look into how we can most effectively field it.

Mayor: The snow is 12 hours after the snow stops.

Chief: I go 12 hours after the plows quit.

Andrea Lage: Alright we will move on then.

DISCUSSION REGARDING THE 2015 BUDGET

Lance Hoover: I am not certain how detailed everyone wants to get into this? We have met as the Finance and Budget Committee went through it and a handful of changes were suggested and incorporated. I met with Nicole and the Dept. Heads to go through what you see in there. I still do feel that there are some potential tweaks that we could do. I think there are some areas where we need to look and see if we can cut back in the General Fund Budget. We do show a couple of things that are a little uncomfortable to me and maybe we can make some changes in the spending and possibly in the revenues and we are still waiting on some information to come in and give us a better forecast. We are waiting on the insurance costs to come back and we are still looking at a handful of things that may or may not occur. My thought is do you have any questions on anything? Is there something that you want me to address or to look at?

Joe Hockersmith: Where is our line for our MOU we were talking about earlier?

Nicole Bard: 411.501

Joe Hockersmith: Okay, thanks! I am good.

Andrea Lage: Three of us have already set down and gone line by line with Lance.

Kathy Coy: Any changes at all we had already discussed and I am confident with this.

Lance Hoover: I think part of what you will see is some parts of what I provided will look a little different than last year and realistically that is a combination of some discussion with Nicole and myself and trying to lay things out so that it is pretty well straight forward and cut and dry easy to track and easy to follow.

Again, I think what I would still prefer to do is go through it with the Dept. heads and Nicole one more time

and look at what we can do and double check the revenues. Then bring it back the beginning of November for consideration and the plan is to have it on for the Town Hall meeting for the second meeting in November.

Mayor: Is it balanced?

Lance Hoover: It is indeed.

Mayor: Is there any use of fund balance to balance the budget. There is a projected small amount which I want to try to eliminate.

John Alosi: I just have one question on the Sanitation Fund #366.302. There are zero's and then \$100,000.00?

Lance Hoover: Nicole and I had talked about that and it is something that sort of always existed but we are going to show it different. It is a pass through. This is an accounting way to show we are going to spend that much but we are also going to receive that much as well.

Andrea Lage: It was a good question because there are a couple of things that show up.

Lance Hoover: It is just a different set of eyes and I am not sure.

Nicole Bard: It is from the last things that we use as a budget reimbursement from the last groups that need to be fixed so it is showing revenue.

Lance Hoover: Mr. Mayor, yes that is one of the things I want to look at.

Mayor: My other questions is; is the projected fund balance be somewhere to last year?

Lance Hoover: Yes or hopefully more.

Andrea Lage: Are there any other specific questions and you can fire them through email too.

Lance Hoover: Yes, please do. I will just go back through it again.

Andrea Lage: Alright if we are done discussing the draft budget then we will move on to the executive session.

Sam Wiser: We are in executive session to discuss potential litigation regarding waste water contracts, construction contracts, discussion leasing of property, management agreements and non-uniform personnel matters.

Andrea Lage: Is there action to be taken after these discussions?

Any other business

Andrea Lage: Joe? Sam? Angie? Kathy?

Kathy Coy: The one thing that I wanted to make sure that we addressed was the Fire Police and that we will work with them. I had somebody ask me when they take things out to the compost facility, we can't take grass clippings. Their question was why and why can't we provide a place? Second, can we provide a list of where they can take those things?

Kerri Burrows: It is a fire hazard.

Kathy Coy: These people pay to have their grass irrigated.

Joe Hockersmith: It will ruin the compost and nobody else will take it because it is a problem with disposal.

Lance Hoover: I really do not know of any.

Kathy Coy: That is really what the person asked, where do the contractors take theirs.

Mayor: Some of the contractors compost their own grass.

Joe Hockersmith: You can do it if you have enough to mix with it. Buy some straw and mix with it.

Lance Hoover: I think in our case it comes down to space and a fire hazard.

Kathy Coy: Okay,

Joe Hockersmith: The reason that we stopped grass the mix was wrong and it messed up the overall compost mix.

Andrea Lage: Kerri, anything? John? Bruce?

Mayor: The Shade Tree Committee met for the last time yesterday for the year and we will be putting some trees in if we can find what we want. We can't plant anymore pear trees so we will meet again beginning in March and Dick Hammaker will talk to you about trees for over here.

Kathy Coy: I did call Dr. Hartzler office today and ask if the Community Advisory Board that they put on the agenda the traffic flow issue and to set up a committee.

Andrea Lage: Yes, please send me the day, time and the location.

Mayor: That is next week right?

Kathy Coy: That is next Tuesday if I remember.

Andrea Lage: Any questions for us? Thank you for coming.

Sam Wiser: One executive session topic is a quick update regarding a pending Code Enforcement matter.

Executive Session begins: 8:46 p.m.

Executive Session ends: 10:30 p.m.

Andrea Lage: We are back where we did discuss all manner of things as said before about various legal issues regarding construction contracts, personnel matters, non-uniform personnel matter, potential leasing of real estate, management agreements and discussion pending Code Enforcement matters. There are two pieces of action and that we are going forward with the MOU regarding the formation of a Park Authority. We need to appoint two members to be part of the team that brings those documents together.

Kathy Coy: I move that Andrea and Joe remain be appointed to the Development Committee.

Angie Facchinei: I second.

Andrea Lage: There is a motion by Kathy and a second by Angie, any further discussion? Motion carries 5-0.

The second action was to direct Lance, recognizing that we have a position coming up soon on the Borough Authority to advertise that opening.

Joe Hockersmith: I have a concern that we already have a position open on that Authority and if it is not then I would like to be proven wrong. I would like to advertise with the idea to make the appointment at the latest the second meeting in November.

Kerri Burrows: November 18 would be the Town Hall Meeting. Why not?

Joe Hockersmith: Unless I am proven off the mark. I think that seat is already vacant.

Kerri Burrows: Do you want to do the interviews?

Lance Hoover: The advertisement could go this week.

Andrea Lage: This is perhaps unfair.

Joe Hockersmith: I can be fair.

Kerri Burrows: They do not live within the confines that the Authority services.

Joe Hockersmith: That is true, but if that is what council wants I can go along with that. It just bothers me and I have said that from the beginning.

Andrea Lage: Understood. I am just wondering about the realities of advertising and getting the applicants when I can.

Kerri Burrows: Today is the 21st if you were to close it on the Tuesday, November 4th that is two whole weeks. Our meeting is on the 6th. You could interview on Thursday the 6th.

Sam Wiser: Are you sure that the people will be available on the 6th?

Kerri Burrows: We have had instances before in which somebody was not able to make it and we still put their name in.

Andrea Lage: Alright, let's have responses back in two week and we can see how those responses go with the idea of interviewing on the 6th and if there is someone who can't make it then we will discuss how we wish to deal with that.

John Alosi: If the interviews do not go well do we re-open the advertisement.

Andrea Lage: I think that is the prerogative of Council and that may be one we may wish to exercise.

Joe Hockersmith: Unfortunately by the rules, the Sunshine rules that means dragging everything out in the public forum which I think is a horrible practice but it is what it is.

Kerri Burrows: I don't have any issues with the interviews being public. We choose to do them. I think we do the interviews and many places do not.

Andrea Lage: I think that the discomfort comes in the discussion but yet that is our responsibility to have that discussion publicly.

John Alosi: So, the interview takes place in public?

Joe Hockersmith: Then the discussion is public. There is no private.

Sam Wiser: These are appointments.

Kerri Burrows: Where the awkwardness in my opinion is that the first person that is interviewed the people who are 2nd, 3rd, 4th, 5th they could sit in on the first person's interview if they wish to. That is where the sense of awkwardness kicks in.

Andrea Lage: The other part is that sometimes people just don't want to discuss openly their concerns.

Kerri Burrows: Then they don't belong on a public appointed commission.

Andrea Lage: I think that we have come to an understanding.

Kathy Coy: I make the motion that we adjourn.

Kerri Burrows: Second.

Meeting adjourned: 10:38 p.m.


Secretary