

SHIPPENSBURG BOROUGH COUNCIL

December 4, 2018

6:02 p.m.

Present at the Council Meeting: Andrea Lage  
Bruce Hockersmith  
Sandra Mailey  
John Alosi  
Keith Swartz  
Mitchell Burrows  
Kathy Coy, Mayor  
Sam Wiser, Solicitor

PLEDGE OF ALLEGIANCE COUNCIL

THE MAYOR'S MOMENT OF SILENCE

PUBLIC COMMENT

No public comment.

CITIZEN APPEALS

None.

REGULAR BUSINESS MEETING

CONSIDERATION TO APPROVE THE MINUTES OF THE NOVEMBER 20, 2018, MEETING

Councilperson Bruce Hockersmith moved to approve the minutes of the November 20, 2018, meeting as submitted. Motion seconded by Councilperson Sandra Mailey. Motion carried 6-0.

PRESENTATION REGARDING BICENTENNIAL CEREMONY

Councilperson Burrows reported that after kicking around their ideas they feel that not only do they believe that they can create a better celebration that would be more fitting to take place later in the year due to the weather, etc., but they feel that they can make that happen without using any tax payer money. Councilperson Burrows stated that they are looking at making it a crowd funded effort and looking at the June date instead of January. Mayor Coy stated that they felt that they would have a better participation in June than they would in January. The Mayor stated that she would still like to do

something at the court house on the actual date in January after she speaks to the Civic Club. Mayor Coy went on to state that the committee feels that they will be able to get some local funding to plan the event. President Lage stated that they should not hesitate to come back if they should change their mind. Councilperson Burrows stated that if they did it would be a very small amount and an amount that they would ask for from everyone or a matching of funds. Solicitor Wiser explained that the Borough is expressly authorized to contribute funds to observances of holidays or centennials or other anniversaries for borough celebrations.

#### CONSIDERATION TO APPROVE THE RE-DISTRIBUTION OF INSURANCE SURPLUS FUNDS (2017)

President Lage explained that as Council is aware they are not obligated to do this but it has been their past practice that they recognize that they have employees contributing to the healthcare premiums and so they participate in a program where in some years we are actually given a rebate on the amount that has been paid in for those health insurance plans. President Lage went on to explain that what they have done in the past is calculated the amount of that overall pay that the borough contributed and the amount that the employees have contributed and have given that proportionate to those amounts recognizing that it is in part because of their wellness that we have gotten a rebate. The President stated that in order to carry off the amounts listed to be refunded they would be looking for a motion that would agree to pay back a portion of the rebate from insurance as per the calculations provided to Council by management. Councilperson Keith Swartz moved to approve the re-distribution of insurance surplus funds as proposed. Motion seconded by Councilperson John Alosi. Motion carried 6-0.

#### EXECUTIVE SESSION

President Lage reported that Council does have an executive session that they must hold now with action coming out with the session being to cover various personnel, contractual, and potential litigation issues. Council went into executive session at 6:10 p.m. and returned at 7:07 p.m. and Council President Lage reported that there is no action to be taken at this time on the items that were discussed.

#### CONSIDERATION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE BOROUGH OF SHIPPENSBURG AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME)

No action taken.

#### OTHER BUSINESS

Interim Borough Manager Plasterer reported that Apple Valley will renew a contract with the Borough of Shippensburg but they will not renew the existing contract. Mr. Plasterer went on to explain

that the market for glass is not very good at the moment so they are now going to charge us \$50 per ton for the month of November if we were going to sign the contract today, however that rate is adjustable and could go up or down. Kevin stated that at \$50 per ton versus \$33 per ton if we would take our trash to the landfill he would like to know if Council would like to pursue recycling at the fullest and see where we go for a quarter or 6 months and keep track on expenditures for Apple Valley and then look at it again and make a decision then or would they like to do something else? President Lage asked if we know how that amount has fluctuated over the past 4 or 5 months or do they just give you a spot month value? Kevin explained that when the driver brings the slip back he hands it in and he really doesn't look at how much comes in each trip but we were paying \$40 on the last contract but now going to a variable rate. Councilperson Swartz stated that he feels they should look at some type of a press release because he feels this is going to upset some residents if they cannot recycle the glass or if it is not worthwhile and that people need to be educated that every municipality around us is in a worse condition in regard to glass than we are. Councilperson Swartz also stated that he feels it should also be on the website. Councilperson Burrow stated that he feels that recycling is an obligation and a responsibility that they have as policy makers and if we are sure that it is being recycled properly he would be in favor of continuing that. Councilperson Swartz stated that he likes the idea of seeing where everything is going. President Lage stated that they will still have the contract but it will be whether they ask the businesses and residences to stop recycling. Solicitor Wiser asked if they could structure the contract in such a way that at our option we could decide to stop recycling glass? Kevin stated that he doesn't believe Apple Valley cares what we bring to them; they are just going to bill us by the tonnage. Solicitor Wiser stated that his concern would be that if we say we will pay the premium and then Apple Valley comes back in January and says they are not taking any glass. Mr. Plasterer explained that the new agreement will say that they will take the glass throughout the year of 2019 at a variable rate so we have the option to stop when we wish but they are required to take it for all of 2019. Solicitor Wiser asked if the borough would decide that they are not going to send any glass to Apple Valley would the rate change and be less? Kevin stated that no, the variable rate would be the rate for 2019 regardless of what we send to them. Councilperson Burrows stated that Council could make the motion to accept this contract that allows them to recycle and if three months from now Council feels that it is appropriate to stop recycling they could do that as a borough and keep the contract with Apple Valley. Kevin stated that he is hoping to have the contract ready for the next council meeting to look over and vote on. He went on to state that if Council is leaning toward stopping the collection of glass he needs to have a plan in place to begin notifying customers and residents. President Lage stated that the other part of that is that our rates are not based on this higher amount and we do not charge our customers based on weight so if we do take glass at the higher rate we may discover that we are losing money. The President went on to explain that if they try it for a quarter and see if we are breaking even, if we are losing money, how much we are losing and if we can afford to do that out of general fund or if they need to increase rates. The President went on to state that they can either not do glass, or we can do glass and it works, or they can do glass and they are losing money and they have to consider raising rates either on all or just the commercial portion since they are the bulk of the weight of the glass. Jeff Stonehill stated that what he has heard in general is that the recyclers feel that marketing of the products is variable for them so the value of the material is very variable based on several different conditions so what they do not want to be tied to going forward is accepting it at flat rate since they do

not know going forward what their costs will be. Mr. Stonehill went on to state that he would agree with President Lage that they do not want to make a quick change especially this time of year so if the manager is going to negotiate a contract for 2019 that allows them to keep going it gives them time to see what the variable rate will do and then they can make another decision and he would recommend that they accept the variable rate and just monitor it very carefully. President Lage stated that the understanding is that Council will hopefully see a contract so they can understand the language of it with the intent to enter into it for 2019 and try to have a report at the end of the first quarter to see what the financial implications of the new contract are.

Councilperson Hockersmith stated that he will continue to express the need for a traffic study and he also feels that they should look into increasing the lighting in the area of Burd and North Fayette Street. President Lage stated that she is interested in having the borough look into the complete streets policy and things like that so that they can leverage potentially some grant funds for not only transportation studies but looking at multiple modes of transportation that would address pedestrians as well as bicycles, etc. Steve Brenize stated that it might be time to consider repurposing some of the ground behind Schreiber as basically a trade to a developer suggesting that they finish creating the loop that gets us out to Baltimore Road along Farmington Manor and finding a way to pull some of that land out of clean and green. Mr. Brenize stated that they could trade to a developer for completing that road then they have created the inter-loop that is needed and feels it is worth looking into. Jeff Stonehill stated that one thing that Council should do is find out what it would cost to look at those ideas and what a study would cost along with the project itself to see if it is even feasible and if they can apply for grants but at the very least they would know what they are up against and have something to move forward with instead of just talking about all of the ideas but never moving forward. President Lage stated that they need to contact Cumberland County because there is a small part of CDBG funds that can be used for planning so they may be able to fund some portion of it with CDBG money. Mr. Stonehill stated that it would be relatively easy to put together an RFP to get some numbers to see what it would cost to study these important ideas and see where it goes. President Lage stated that she feels it is something that they should move towards for the first quarter of 2019.

Councilperson Alosi stated that he has always felt that it may help the downtown if they did a study about building a parking garage. Councilperson Alosi stated that several municipalities around us have parking garages in their downtown areas.

Mayor Coy stated that over the past few weeks she has noticed at multiple times that we have people in electronic wheelchairs that ride on the road with many of them going to the senior center so if we do look into pedestrian crosswalks that those areas around the senior center may be areas to consider. President Lage asked if there are other funds other than CDBG that can be used for public infrastructure and ADA improvements? Jeff Stonehill stated that if the borough put together a very large list of projects they could go for multi-model grant which would include all kinds of pedestrian and bike, and sidewalk, and walkways, etc., but they cannot do that for a small thing but more for a giant borough wide project. The Mayor stated that she and Park & Rec met with a local business to discuss the possibility for some space for some indoor activities and the discussion is there and the local

business person was very generous so they will see where it goes. Mayor Coy stated that they could really use some indoor activities and they will need some volunteers to offer programs and run them but at this point she knows that it was going to be taken to the Park and Rec Advisory Board.

Councilperson Swartz stated that back in September he talked with a few council members and just threw the idea out about the Open Container law. Keith explained that Erie, PA has a permissive open container law where you can walk down the street with an open container and even drink a beer on the street and his opinion is that if we are serious about reviving downtown it is really not the retail shops that will do it but the ABC's, the Roy Pitz, businesses that are going to do it and if they bring 3 or 4 of those types of businesses into town and make it a desirable location the retail shops would fill in and handle a lot of the blight issues. Councilperson Swartz reported that he spoke to the Solicitor a few months ago who suggested he write a letter to the Pennsylvania Liquor Control Board asking for their opinion which he did. Keith read a portion of the letter during the meeting. Councilperson Swartz stated that the idea would be that you would go to one of the establishments that are participating and purchase a plastic cup so there is no glass on the street and possibly a wristband and in the summer months they could have a band and promote the downtown a bit. He stated that he feels that if they had something unique it may bring business downtown. Councilperson Swartz went on to state that he has many ideas but everything he is thinking about looking into further requires Council approval and support so as a first step he would like to know if Council would approve the solicitor to look into this further and to see if this is something that can be done. Council members agreed to allow the solicitor to look into their options. Mayor Coy stated that she is not totally against it but she would implore Council to be sure it is something that is controlled for the residents that do live in the downtown area.

Steve Brenize, 211 Ridge Avenue, stated that he is not sure if they are aware that the State DEP has changed their safe drinking water regulations and as part of that it now requires a yearly permit from the SBA that instead of paying the State \$500 per year they will now be required to pay the State \$20,000 per year. Mr. Brenize stated that they have also increased every fine and every structure and created additional regulations that have nothing to do with safe drinking water in the opinion of our engineers and Peggy Miller who runs our system. Mr. Brenize went on to state that the paperwork basically said they had a 7.5 million dollar funding gap so they decided to increase the expenses. Steve further stated that he serves on the SBA to help to provide quality water in the community and these actions by the DEP make it more difficult for them to be able to do that because it is taking money out of our system that could be used to make improvements on the system. Mr. Brenize stated that he is here asking Council to write a resolution to ask DEP to reconsider that action. He also stated that he did reach out to Rich Alloway in regards to available money for the water line project and his office stated that there is no money for that project. Mr. Brenize also stated that the State has started repurposing old funds for other things and so since the State has done that he requested Rich Alloway's office to look into DCED about the ability to be able to repurpose money that is in the Enterprise Zone Loan for Parks and Rec.

ADJOURNMENT

There being no further business, Councilperson Mitchell Burrows moved to adjourn the meeting. Meeting adjourned at 7:48 p.m.