SHIPPENSBURG BOROUGH COUNCIL

July 19, 2016
7:05 p.m.

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

INVOCATION: Joe Hockersmith

PLEDGE OF ALLEGIANCE: COUNCIL

REPORTS:

President Lage reported that Finance and Budget will need to schedule a meeting so that they can talk about the EMS needs. The committee members discussed possible dates to meet and the location and decided on Thursday, July 28, 2016 at 5:00 at the EMS Station. The President also reported that there will be a personnel meeting tomorrow at 9:00 a.m. Manager Epley stated that the Long Range Planning Committee is still diligently working on getting a meeting scheduled. Sandra Mailey stated that August the 28th is the next meeting of the Revitalization Committee so they should try to meet before then. Manager Epley stated that he will try to schedule it for the first week of August.

Chief Fred Scott reported that on behalf of the Department he would like to say how much they appreciate the support they have gotten from the residents of the community recently. Chief reported that they are being inundated with complaints regarding a landlord/tenant situation which is not a police issue. Chief Scott went on to state that he wanted to make sure Council understood that in case they would receive a complaint that the department will not do anything to assist the landlords in evicting their tenants because they cannot get involved in that. Chief stated that they have had another heroin overdose and this is the second time they have had to use Narcan. Chief Scott stated that he has had discussion with the District Attorney's office and is to get our Solicitor's opinion on certain things they should be doing which Sam is now looking over.

Heather Franzoni presented the Manager with a donation to the Branch Creek Project. She reported that in for June 2016, they ran 43 calls in the Borough, and July to date they have had 56 calls just in the Borough. Heather reported that total calls for the station year to date is 2083 and of those 436 were just in the Borough. She stated that the increase has definitely been from the drug use and they just keep working through it and making sure the staff is trained. Heather stated that they would like to thank Borough Council with their support with the Lucas Device and reported that all of the

apparatus are fully outfitted with everything they need. She further stated that they are preparing for Fair week with extra staff on duty and the Advanced EMT class that she has discussed in previous meeting has been confirmed so they will be starting that in October which will run until August. Ms. Franzoni stated that there will be 12 of them and all the supervisors will have advanced training. She also reported that they are outfitting a new ambulance that they got from Mercersburg at a really good deal and it is already outfitting so they will be doing an ambulance replacement and a new medic unit replacement.

PUBIC COMMENT: No public comment.

BUSINESS:

CONSIDERATION TO APPROVE THE MINUTES FROM THE JULY 5, 2016, MEETING

Joe Hockersmith moved to approve the minutes of the July 5, 2016, meeting. Motion seconded by Kathy Coy. Motion carried 5-0, with Angie Facchinei absent.

DISCUSSION OF BID RESULTS FOR THE ROWE ROAD PROJECT

Solicitor Wiser stated that we received three bids through the Penn Bid System for the Rowe Road Project, with the highest bid being David H. Martin for a total bid amount of $2,279,271.50, and the next lowest was New Enterprise Stone and Lime Co, which is Valley Quarries, with a total bid of $1,923,271.60, and the apparently low bid is Kinsley Construction with a bid price of $1,337,449.32. Joe Hockersmith asked where we were hoping it would come in? President Lage stated that they were hoping for a few hundred thousand less than that. Manager Epley stated they were hoping for under $1,000,000.00. Joe asked what that does to our budget. Solicitor Wiser stated that they have to address the funding deficiency with the stake holders and for that reason they are not recommending any action this evening. The Solicitor reported that they have a meeting set up in the near future with the stake holders and if they can come to terms regarding the deficiency they will be back to ask Council to take action.

CONSIDERATION TO APPROVE THE RECOMMENDATION FROM THE HISTORIC ARCHITECTURAL REVIEW BOARD (HARB) FOR THE REPLACEMENT OF WOOD SOFFIT WITH VINYL SOFFIT AND REPLACEMENT OF GUTTERS AT 116 EAST BURD STREET (APPLICATION OF PRINCE STREET UNITED BRETHERN IN CHRIST CHURCH

Kathy Coy moved to approve the application of Prince Street United Brethren in Christ Church for their property located at 116 East Burd Street. Motion seconded by Sandra Mailey. Motion carried 5-0.

DISCUSSION OF POTENTIAL PROJECTS FOR THE 2017 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM (DUE AUGUST 26, 2016

Manager Epley reported that we have received $15,000 for ADA improvements for the handicapped curbing that as moved from Earl and Neff to Earl and Orange, also received $18,500 towards the I & I Program, $15,000 for the enhanced police patrols and $10,000 for code enforcement. Mr. Epley stated that the Police Patrols and Code Enforcement we ask for every year which will also be in on list for 2017. Mr. Epley stated that he consulted with Kevin Plasterer about some projects and Kevin came back with a basic ADA crosswalk type of request and has also recently found out that the roof at the Senior Center has issues and water is getting in. Mr. Epley stated that Kevin did get one quote so far to replace the existing membrane which was $33,250, so he suggested using some CDBG money towards that. John explained that there is still some CDBG money sitting for a project that has not taken place at the Senior Center yet because they sought other funding. President Lage stated that they may be able to re-direct those funds. Manager Epley stated that he knows they will allow us so to that. Kathy Coy asked what the amount is? Mr. Epley stated that he thinks it is around $10,000 but he would need to double check that amount. He went on to state that one that he was hoping they would be able to do is flashing pedestrian crosswalks with LED lights. Mr. Epley presented Council with a packet of information he received from Newville Borough who has the flashing crosswalks, which is $30,000. He went on to report that he has received a quote from HRG to do the Engineering but the cost is extremely high. Solicitor Wiser suggested contact Waynesboro because he is pretty sure they did theirs in house. Manager Epley stated that Kevin has already stated that he can install it because the quotes he has received from Bill Kick are upwards of $50,000 are way too high but he does plan on coming back to the first meeting in August with more information for Council. President Lage stated that if the crosswalk bid would come down significantly what are the priorities of locations? Chief Scott stated Seneca and West King would be first, the second would be by McDonalds, at Walters and East King Street and then the last would be McCreary and West King Street. Following a brief discussion, Manager Epley asked if he find them down to a more reasonable price that they could include two of them in the submittal. Joe and Sandra said that they think it is a good idea. Mr. Epley asked where they would like to see the flashing crosswalks? President Lage stated that she thinks people use the one at Walters and E. King Street at McDonalds and the one at Seneca and W. King Street. Chief Scott agreed that those two intersections should be the priority. Joe Hockersmith stated that if they could do those he would prefer those would be the lights in the street with a beam. Manager Epley stated that they will try for the two flashing lights and the senior center roof. Kathy Coy asked if the roof is rubber? Mr. Epley stated yes. Kathy asked if it would be feasible to see if a metal roof would be another option? John stated that he can check with Kevin but the new roof will come with a 20 year warranty. Manager Epley stated that he will try to get estimates for both metal and rubber roofing for the next meeting. He asked if there are any other projects they wish to improve? President Lage stated that she would rather see the flashing crosswalks at the really busy intersections than to focus on the ADA crosses since we are slowly working on those. Manager Epley stated that they will focus on the Senior Center roof, the flashing crosswalks, enhanced police patrols, and code enforcement. Borough Council agreed with that list. President Lage asked if we are making any allowances for Park and Recreation if they would come to us asking for CDBG money. Joe Hockersmith stated that he thought as an authority they can apply on their own. Solicitor Wiser stated that they can pursue grants but would not be a direct entitlement to the CDBG funds.

DISCUSSION OF A REQUEST BY THE SHIPPESNBURG POLICE DEPARTMENT TO AMEND BOROUGH CODE 142, TOBACCO PRODUCTS, ARTICLE I, 142-4 A

Chief Fred Scott explained that District Justice Adams brought to their attention that when he gets kids who are caught with cigarettes and there is no leverage to make the parents do what they are supposed to do and also that a lot of parents are supplying their kids with cigarettes. Chief Scott stated that DJ Adams is asking that the officers and he himself have some leverage to require that parents submit their child to counseling for a first offense and if they attend counseling the fine would go away. Kathy Coy asked if they were to do this is there local counseling in town that they could attend? Chief Scott stated that the only one that all the school districts use is in Franklin County. Joe Hockersmith asked if the parent has to pay for the counseling? Chief Scott stated no, it is free. President Lage stated that she feels that it should say the fine "may be" waived but include the possibility of having a fine and counseling. Solicitor Wiser stated that he has a suggestion on the language to say that "a violation of this article is a summary offence and upon conviction the minor may be sentenced to pay a fine of $90.00. If the condition is a first offense, in lieu of the fine, the fine may be waived and the violator may elect to plead a counseling program required by the District Justice with a counselor who is licensed by.....". President Lage stated that she likes the word "may" and would like the option for the Judge. Joe Hockersmith asked if they will be seeing this change at the next meeting? Solicitor Wiser asked if they want to authorize advertisement and then they can act on it at the next meeting? Council stated yes. Chief Scott reported that this will include chewing tobacco and the FDA considers vapor tobacco projects so it would also include vaping.

Joe Hockersmith moved to approve the advertisement an amendment to the tobacco ordinance, Borough Code 142, Article I, 142-4 A. Motion seconded by Kathy Coy. Motion carried 5-0.

EXECUTIVE SESSION

President Lage stated that Council will now have an executive session where they will go over some contractual and personnel matters including the negotiations with the Police. Council went into executive session at 7:50 p.m. and returned at 8:15 p.m., with no action to be taken.

OTHER BUSINESS

Solicitor Wiser reported a street light out by the Brethren Church on Garfield St. and Washington Street on the church corner. President Lage asked where we are on the LED lighting? Manager Epley stated that now there is a push by the utility companies to increase the rates so until we see the outcome of that we will see no benefit to switching to LED at this point. He went to state that they can move forward at any time and there are two other towns that have used them that we could go and look at them and see what we think and they are using much lower wattage bulbs with LED's. Mr. Epley stated that all the people that were presenting all of the LED options put out an email and said that the PUC has been petitioned to increase the transmission charges. He further stated that we have all the paperwork in order to order the lights. President Lage asked if the rates go up wouldn't we still

benefit because we are using less wattage? Manager Epley stated that if it is approved, the additional cost of transmission charges will wash away any benefit to it, but he will provide better information for Council at the next meeting. Solicitor Wiser stated that we pay a flat rate so they would have to a have an LED rate to benefit us. Manager Epley stated that with the cost of the fixture and depending on what wattage we have to be at it may not even save any money to switch to that fixture. He went on to state that the benefit to the LED is that they last forever but the costs could be the issue but he will do an update on the LED's for the next meeting so he can have accurate information for Council.

Joe Hockersmith stated that he would like to revisit the housing situation in town for houses that need to be condemned. He feels we need to figure out how to do that or force homeowners to bring them up to some sort of specifications on the exterior because it is pulling neighborhoods down. Joe went on to state that in a block and a half of Orange Street there are three lawns that have been dug up forever and they are just sitting there with no work being done. President Lage asked if there is a safety clause that they can use? Manager Epley stated that we do not have an unsafe structure ordinance because he just talked to Donna about this same issue with another property in the Borough. Solicitor Wiser stated that we do have a dangerous building ordinance, which is part of the nuisance ordinance. President Lage stated that in the past we have not be willing to adopt a property maintenance code that is the same as the one that we have for rental properties but that could be an option. Joe also reported that there is a house on E. Orange Street by Richwalter that has three junk cars in the rear of the property. Joe stated that he feels this is something that we need to address as part of the entire planning committee because there are a number of properties that are detracting from this community. Solicitor Wiser explained that Waynesboro has been very aggressive in their code enforcement over the past few years but the problem they are in now is that they have been aggressive, had the court order people out of their homes if they are in terrible shape, they have boarded up places that needed to be boarded up and then everything kind of stops there. Sam went on to state that they now have close to a dozen boarded up properties that the Borough has boarded up and other property issues that they would like to address such as structures that need to be torn down but then having the funds to do it is an issue. Solicitor Wiser went on to state that one of the things he wants to talk with our legislators about is municipalities need some form of funding source to address this because as the population becomes less inclined to care for their personal property whether it is due to mental or medical issue, this is going to be a growing problem and municipalities are having a hard time dealing with it. Kathy Coy stated that one of the things she would like to see is if they could get an assistance to help rebuild or rehab houses because some cases may be as simple is a widow and she doesn't have the income to fix up a place and you don't want it to become to the point that it is falling down. She stated she would rather see an organization or group come in and help people like that and then prioritize who has the worst needs and then work their way down the list and she would rather see that instead of kicking them out of their house. Solicitor Wiser stated that what they find is that the habitual offenders are people who have hoarding problems and no matter how much help you offer them they would not give up their stuff unless they are forced to, or they have significant medical problems and simply cannot care for themselves and probably shouldn't be living on their own anyway. Joe stated that he would like to see that we begin to address it with Donna starting with the yard on the

600 block of East Orange Street with the junk cars, etc. Manager Epley stated he will discuss it with Donna.

Kathy Coy stated that she has received a lot of complaints from people in the neighborhood and outside the neighborhood of the Seneca and Burd Street intersection. She explained that if you are turning off of Seneca onto Burd because of the parking the comes right up to the corner you cannot see and they were asking for mirrors or something to help with the vision obstruction. John stated that he will talk to Kevin about it.

Sandra Mailey stated that she has been concerned about people not taking their trash cans back in after their collection day. She stated she has a neighbor who will leave their cans out for two weeks at a time. Solicitor Wiser stated that the ordinance states that they can be placed out no earlier than 24 hours prior to and must be removed no later than 24 hours after collection.

Manager Epley reported that they have been invited to the Franklin County Area Development Corporation's 13th Annual Industry Appreciation Dinner, Thursday, September 8, 2016, for the price of $50 per person or a table of 8 for $400.

ADJOURNMENT

Kathy Coy moved to adjourn the meeting. Motion seconded by Joe Hockersmith. Motion carried 5-0. Meeting adjourned at 8:40 p.m.

Secretary