

SHIPPENSBURG BOROUGH COUNCIL

August 5, 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

Andrea Lage: We will call this meeting to order but we are starting with the Conditional Use Hearing first.
Minutes: Diana
Conditional Use that we are hearing before is for the Assembly of God Church in Shippensburg on Baltimore Rd for a Daycare Center.

INVOCATION: Kathy Coy

PLEDGE OF ALLEGIANCE: COUNCIL

PUBLIC COMMENT:

Andrea Lage: Is there any public comment tonight?

Ed Goodhart: 110 East King St. I am here to ask support of Borough Council in the approval of ordinance 14-904 entitled Dogs. Throughout the borough of Shippensburg grass areas and street areas are constantly being fouled by dog's eliminations and this district does require to clean it up as it already does but this would increase it. It requires leashing and the person holding the lease because they left the leashes go and the dogs went wherever they wanted to but they were leashed. So, I urge your adoption of this ordinance.

Andrea Lage: Alright, thank you Ed. Anyone else? Then we will move on to the business part of the agenda.

Business

CONSIDERATION TO APPROVE THE MINUTES FROM JULY 15, 2014

Kathy Coy: So moved.

John Alosi: Second

Andrea Lage: Any further discussion? Motion carries 6-0

CONSIDERATION TO APPROVE A REQUEST FOR MEMORIAL LUTHERN CHURCH TO CLOSE A SECTION OF PENN STREET FOR THEIR ANNUAL "BLESSING OF THE BACKPACKS" EVENTS

Andrea Lage: Saturday, August 24 from 4pm until 7pm the traffic closure is from 3pm until 8pm

Joe Hockersmith: So moved.

Kathy Coy: Second.

Andrea Lage: This is allowing Penn St from the corner of Orange St to the alley prior to Garfield be closed from 3 to 8 for the Blessing of the Backpacks.

Any further discussion? Motion carries 6-0.

CONSIDERATION TO APPROVE ORDINANCE 14-904 ENTITLED DOGS

LH: I need to clear this up, it has been advertised in accordance with the requirements and it is subject to your approval as such.

AL: It does contain the definition as discussed.

LH: Yes.

KC: Did you receive any feedback?

LH: I don't know that we did and I don't believe that we did.

JH: Does this give you what you need to enforce our dog laws? Chief Scott.

Chief: The public will make no difference, the lease law. For us, if there is dog crap on the ground then we will arrest them. If the dog runs loose, we have to have a complaint. If he runs on your property and they say, it is okay. If they are on your property and you do not want them there we can do something about it.

AL: Do we have a motion?

KB: I need some clarification. So, my dog poops in someone's yard and I clean it up promptly there is no violation but there used to be?

Chief: No, what the problem was is that the dog was on a lease and he was in your yard, people would say that was the violation. The main thing is that I have to have a victim. That had to do with your property. If your dog went down to your friend's house and by the old law even though he went down to the friend's house he is in violation because he is running at large. Even if that property owner did not want to make a complaint it was still a violation. The person that owns the property has to make the complaint.

KC: I will make the motion to approve the ordinance 14-904 entitled Dogs.

KB: Second.

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

DISCUSSION AND CONSIDERATION TO ADVERTISE ORDINANCE 14-905 ENTITLED "PEDDLING AND SOLICITING"

LH: I have been talked with the Chief over the past several months and we have run by Sam and we felt that we needed to have some updates done to our Peddling and Solicitation ordinance so what you see in front of you are those upgrade and improvements. We changed a whole series of things. It is on for discussion and consideration to advertise. What we were trying to do is clarify the permit requirements. Who needed permits, what they needed them for, the length, some of the conditions around the permits and what we also wanted to do is clarify some of the regulations around who actually could solicit. The criminal history checks and some things that would prohibit who would be allowed to solicit door to door.

Chief: We talked about a time.

LH: Yes, there was one thing that the Chief did bring up in section 4. That would be on page 28 of what you have there. Ending at dusk rather than 8:30 p.m. That will adjust for the time of year.

KC: Does this have any effect on peddlers in a parade?

Chief: Yes

KC: Again, how is that enforced? I know that if the parade is on a weekend do they have something like a license?

Chief: They have to display and we check them all.

LH: Another important thing that it does address is the food truck vendors. We are starting to get a lot of them now. It places some requirements and restrictions that were never there before.

Mayor: Section 7 "violations and penalties" Now the way I read this is just the word "may" is used. If you violate ordinance you may be fined or found..... It seems to me that this whole thing could be brushed over and say go ahead and do it and I am not going to do anything about it. It says you may be and it doesn't say you shall. If this is a Borough Ordinance we are passing a law there should at least be some, shall in there will a warning, suspension or something like that. Not just you may.....

JH: But when it comes for the DJ it is a may anyway.

Mayor: Well then that is fine but here you are passing / proposing an ordinance and you are saying it may? I come down the street and want to sell balloons and the Chief doesn't want to arrest me it is illegal for me to sell balloons without a permit and you say go ahead.

KB: I am a little hesitant to remove that kind of discretion from.....

Sam Wiser: The Chief has discretion either way.

Mayor: So then, why bother with it.

KC: Well, if you put shall in there that still leaves him the opportunity.

Mayor: You could say shall with a warning or something like that.

Chief: No warnings.

LH: How does that compare with all the other penalty phrases?

SW: I am fine with that.

JH: So we are changing may to shall?

Mayor: Not necessarily. At some place in there if you violate the ordinance something shall happen. Whether it shall be ignored or something.

JH: If you are convicted the fine shall not be less than \$100.00.

KB: My concern is that you by putting that in there you are removing or assume to be removing the discretion of the police dept. That concerns me. That is my only concern. I think the police department's job is to act on the community's best interest.

Mayor: I have no problem with that but then way do you even bother with this. Just put this as a regulation for people who are peddlers. If they violate the regulation then they "may" be.

JH: If we have a local business man that has a firm that he sells a service and he decides to go door to door and make some calls, does this affect him?

SW: Yes, anytime you go out knocking on peoples doors this impacts that.

Steven Brenize: With the exception of insurance. A valid insurance trumps any municipal laws.

SW: I am not sure about that Steve.

Steven Brenize: Unless they changed it since I was an insurance agent it trumps it. Now, if you have a no soliciting sign on your property then it doesn't but it does trump municipal law.

KB: Well, if it trumps municipal law then how do you cover it?

Steven Brenize: You can't, if your license is good insurance on the Commonwealth of Pennsylvania and part of that is what Joe is talking about. I local business man going door to door selling insurance.

JH: Or financial services or anything like that.

KB: Or construction.

AL: Those do not always have that trumping. There has to be something else.

SW: There has to be a specific pre-emption.

KB: Is it only for financial things? Would this be in effect door to door for campaigning?

SW: No, that is political speech and they are not selling product.

JH: What about churches that go door to door to evangelize.

KB: What about the shady construction companies.

SW: They would fall under this law.

Chief: What about PUC? The electric companies.

SW: To my knowledge that is not preempted.

Mayor: My concern here is that in #3. Any person found guilty may be assessed court costs and attorney fees incurred by the Borough.

KB: That is the DJ and that has nothing to do this.

Mayor: Attorney fees incurred by the Borough?

KB: Yes,

SW: When you go before the DJ then you have to make that claim for attorney fees and they have to find that they are reasonable and they may assess them.

KB: In Section 4, the very last sentence it say 9:00 am prevailing time or after dusk of any weekday.

AL: So what about the weekend?

KB: I know that is silly but....

Mayor: Should that be any day of the week?

SW: That could be made more clear.

JH: It is counting Saturday as a day of the week. The next sentence addresses Sunday.

KB: Okay, but how do you count that is counting Saturday in there.

JH: Because there is no mention of Saturday in there so it is included as a week day.

KB: Seems to me if they are not counting Sunday and a weekday then why would they count Sunday as a weekday?

JH: Sunday is set aside.

AL: It wouldn't hurt to clarify. If we don't want it happening on Saturday and Sunday then let's just say any day of the week.

LH: We could just define it Monday through Saturday.

AL: We could just say, Monday through Saturday and then Sunday is covered in the next sentence.

KB: Why don't we just say any day of the week? 365 days a year.

JH: This is defining the times of day that people can do it. So, the time of day. You need to put in the next sentence in additionally it will constitute a nuisance to conduct these activities anytime of Saturday, Sunday or on a state or national holiday. That is what you want to say.

KB: I am fine with that.

LH: So, we do not want them on Saturday?

JH: That is what Kerri is saying.

KB: Here is my concern...

JH: Somebody pays for a license we are going to say that you can't do it on Saturday?

KB: I actually heard Steve bring up a good point. He said, Girl Scouts and Boy Scouts.

Steve Brenize: Snow shovelers

KB: Kids selling Wolfgang candy? All of that kind of stuff. A lot of that is done on the weekends. The chief runs into an 11 year old kid and he shall cite him?

Chief: Only the leader is responsible for the kids.

KB: Does the Midget have to register? They do sell door to door.

Chief: Then the person in charge is responsible.

JH: Nonprofit will have to register.

KC: Steve did bring up a point about the kids willing to shovel? Do they have to register?

KB: My question is if we are going to require places like the High School Band Booster club to register is there an argument that they can say what about all of this and then we will say because you are booster club and there is many kids versus these two boys that want to go out an shovel snow in the winter is it going to create an issue.

SW: We have that now.

AL: I don't think it is a bad idea for the school to say our Booster Club is going out so you know that there are kids coming around to your door.

KB: It is September through May when school is selling something. Every month.

Chief: We looked at it like this. If someone is going door to door we should know what they are doing no matter who ever it is and whoever is in charge. We are having too many people doing this and now they need to register with us and we know what they are going to do. Everybody at the Corn Festival will have a copy of the ordinance plus we are going to mail it out to all the people that we have gotten in the past for them for the future.

Mayor: There is nothing in here for peddling without a permit? Is that right?

Chief: Yes.

LH: When you look at the pure definition soliciting from the original one doesn't leave a whole lot out. It would cover all of that stuff. Currently right now.

SW: Soliciting includes one or more of the following activities: Seeking to obtain order for the purchase of goods, wares, merchandise, food stuff, services of any kind for any kind of consideration whatever. Seeking to obtain prospective customers for application or purchase of insurance of any type, kind or publication, seeking to obtain subscriptions, books, magazines, periodicals, newspapers and every other kind of publication, seeking to obtain gifts or contributions of money, clothing or other valuable things that both support or on behalf of any charitable or non-profit association, organization or corporation. The definition of peddling is the selling or offering of tangible commodities, merchandise, articles of things. That is covered under sub section 1 of soliciting.

AL: This is actually a clarification.

LH: It is trying to clarify so that a lot of the non-profits and a lot of Which should not have to go through and get full permits and that kind of thing. They would have to register.

Chief: They can get the form on line or the station.

SW: I think this adds some administration clarification on the Chief's end because the prior ordinance is a little lacking.

Mayor: If they do not have a permit

Chief: They are getting out of town with their stuff. That is it, bottom line. I do that now. If there is a parade and they do not have a permit you are gone.

KC: I would think that is one of the biggest violators.

Mayor: That was my concern, if you are in here without a permit then what do you do? Just get out of town?

Chief: When you have people coming into the Borough we do not know what their criminal history is.

SW: One of the sections that we are not amending say, uninvited peddling or soliciting prohibited it is hereby declared to be unlawful and shall constitute a nuisance for any person to upon a premises and ring a doorbell or create a sound in any manner calculated to attract attention for the purpose to securing an audience.

Mayor: What is the penalty for...?

SW: That is under the penalty section. What is being proposed is 114-19? It says a violation of this chapter may result in action being brought.

Mayor: So I can get run out of town and not have a permit. Is that all?

Chief: No, I can cite them. Violation.

KB: I am only asking this because I am concerned about admin. In my head I am counting the amount of times that my two children who are in a lot of activities are sent home fund raising activities that they are supposed to be going door to door and I am going to guess between the two of them somewhere between 30 and 40 a year. Now, 900 kids in the Borough. Would it benefit it for non-profits to be excluded or no?

Chief: No, for notification all I need to know is who is in charge. Whoever is in charge, whether Boosters or whomever. We will have a contact person if there is an issue or complaints. I have someone to go to.

KB: If an organization registers is it good for a calendar year or is it good for an event?

Chief: What does it say, 30 days?

LH: Right now it is good for a year.

AL: Each license or permit shall be valid for a period of 30 days except for food trucks, food trailer permits and those are valid for a year.

Chief: Unless they get new employees then they have to come in a register.

LH: I think the thought is that it seems like a lot of the permits that we get is short term like for the Corn Festival and the parades and events that we do have.

KB: Girl Scout cookie drive is about 10 weeks, then the Boy Scouts have very similar limitations. Then the Boosters, sometimes they are less than 30 days.

Chief: When people call and say someone is soliciting then I have to spend my time trying to find them. Then I find out that they are a local group and I say do you have a permit and they say, I didn't know it. Hopefully this will eliminate that and we want it 10 days prior to the event. That is what we put in there and if they do not get it within 10 days then the fine doubles. Non-profit we would like it within 10 days also.

LH: The timeframe is up for discussion. In talking to the Chief we thought that the 30 days was a good number.

KB: I can see that for what I call nuisance vendors. I truly think that probably most of these non-profits still probably won't know and still won't register for a permit or won't take the time to register for a permit or will figure nothing will happen so I don't care.

Chief: If we go to the school then they will. The school has activity responsibilities and people are responsible for the all the boosters. I have no problem if you want to make non-profits 6 months or a year, that is not my issue. The other ones that are my issue. As long as I have a contact person.

KB: They do not follow a school year. Girl Scouts don't follow and school year, Boy scouts, Traveling softball, baseball, basketball, etc.. I would say calendar year. Jan through December.

SW: Follow the calendar in the year in which it was applied for. So if you apply in January through December it is good. Start again the following year.

KC: If you could do something with the children that are outside when they are doing chicken sales and things like that who are walking on the roads trying to stop cars.

KB: Am I the only one that gets hit up by school kids twice a week?

AL: Do we want to see the adjustments?

LH: What I have is on section 6, page 29 we are going to include some wording for non-profits to be an annual registration running January 1 through December 31. The one that I am unclear of is did we decide if we need anything done with the violation. Are we going to let alone or are we going to change that.

Mayor: I am satisfied that it is not necessary. That was taken care of.

LH: Are we addressing Saturday and Sunday.

LH: I have it on there, what I have written down is that the sentence would read prior to 9 a.m. and after dusk Monday through Saturday with the next sentence remaining unchanged. We left off, do we want to allow Saturday or not.

KB: I think you have to. I have one more change. Section 6, Meghan. The Actual Megan's law is spelled with Megan. It is referred to as law and not list.

LH: That is the 4 that I have.

KC: Unless somebody has something else I will make the motion to advertise 14-905 entitled Peddling and Soliciting with the changes that have been discussed.

JH: Second.

AL: Any further discussion?

KB: So we have a felony offense listed within the last 5 years or first or second degree misdemeanor within the last 5 years. There are crimes that are listed as an ungraded misdemeanor, so you don't have a third degree misdemeanor.

LH: It is not listed that way now, but I am not the expert on that.

Chief: They have been convicted of having a small amount of heroin?

KB: Simple possession, under this it is not a misdemeanor in the 1st or 2nd degree, so it would not quantify. So they could peddle. Somebody who has had a 1st offense DUI would be able to do this and somebody who has had a 2nd offense DUI wouldn't be able to do this but somebody who has had heroin 5 times would still be able to peddle.

SW: Where do you draw the line where you are not over regulating? Misdemeanor to a certain degree, we left in moral turpitude because it gives us some time to look at this offence and decide.

KB: That would be at the Chief's discretion.

LH: We added that with this new ordinance. Moral turpitude was identified but not defined. It will be the Chief's best judgment.

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

UPDATE REGARDING RECYCLING PROGRAM IMPROVEMENTS

LH: We have a handful of things that I want to provide an update on since the last meeting. First and foremost we have prepared a bid package regarding disposal of our single stream materials. That bid package is due the afternoon of August 19. That will give us the idea of what type of cost from our revenues we expect to see from our materials on an annual basis. There are three that have actually confirmed that they will be bidding. They are Penn Waste, Waste Management and Advanced Disposal. We have advertised for the requirements and we have sent to Parks and IESI as well. We have three out of the five that we have sent to. We did have a meeting with the gentleman from Penn Waste. They did express a concern on the amount of glass that we have. Our rules are that we collect that. Right now the bid is a breakdown of all of our components so that they can give us a good number on what the disposal costs should be. Kevin and I, Kevin largely has been working on the recycling truck last Thursday. We had a brand new demo truck for the recycling route. The company by the name of GS Product had a brand new rig that they are starting to take around for demo's to various municipalities that are thinking about buying a new truck. Kevin worked with them and we were able to get that truck for the day. They allowed our guys to take it on an entire run. It makes it a little easier. The side hoppers are a little easier.

Kevin Plasterer: We can get 12 to 15 houses before we have to dump that side hopper.

LH: The nice thing is and what you can't see is that the truck that we tested actually had a hopper on both sides. They could effectively go to each side of the street if they really wanted to. Some cases it is easier to go up the curb and pick them up and come back down and in some cases we can't. He can dump them and get off of the street or a wider street. We tested a lot of things and I think what we are going to look at is to try to get a 33 yd. truck. Based on what we collected Thursday and some of the other information we had it seems very likely that we could collect a whole weeks' worth of runs on one 33 yd. truck and then make one trip to our disposal facility. Versus two or three or four with a smaller truck.

KC: Is that considering when the students fill up?

LH: Yes, when we did the runs we had a decent amount of space that we had left and we figured it would accommodate the times when the students were back in. We looked at things and we took some broad estimates on fuel and it seems as though the truck we have now is probably not near as fuel efficient this one. There could be a potential of \$1000 to \$2000 a year on fuel savings. If we can get to a point where we are only going to the disposal site once a week. I think largely from talking to the recycling employees that we have it seems like they are in favor of this. They didn't have a whole lot of negative to say. It will be different for them to collect as a single stream. I think they will quickly and easily get used to it. I think

what we are expecting to have is a formal price on the truck for our next meeting. Everything that we are looking at is Co Stars so we compliant. The one question that I have is color. Right now we do have a requirement that all of our Borough Vehicles be white. I would like to ask Council if there is any room for reconsideration on that or the Sanitation Dept. only. Largely because what I noticed is that the brand new white shiny truck that we were on had soda and nasty stuff running down the side after the first, second, third bucket. Try as hard as we can the truck will be some shade of tan. So the thought was...

JH: Isn't there a requirement to be rinsed?

KC: What color were you thinking?

LH: We can get any color we wanted. I was thinking something kind of dark. They do have at least 6 lights and an additional light on the back. If we catch it in time we can do a color change at a small additional cost.

AL: How much additional cost?

LH: Right now the companies that we are talking to say we could have the color done at no charge.

KC: White and black will show marks. The green wouldn't show the nasty's as much.

LH: I will say that the guys stream the trucks off a couple of times a week.

Kevin Plasterer: The chassis is showing up to the body place in a week or two so that is when we can get it all painted another color.

LH: The way that they are actually built is that they will get a chassis from Freight Liner Mack and then it goes to the body manufacturer and then they finish the installation.

KB: I do not have any issue with you picking whatever color you want.

KC: I don't either.

JA: I do have a question. What is the engine a diesel or gas engine?

LH: They are indeed a diesel engine.

KC: Do you need a motion?

LH: At this point in time just consideration.

Here is an update on the grant submission itself. The total cost that we will submit for the grant is \$305,311.00. What we are asking for is the entire \$250,000.00 from DEP for the grant. I have talked again with Cumberland County and John at DEP. From what they can tell us is that our chances are really good that we will get funded. How much we don't know. Looking at the past history the municipalities in his district have generally gotten between \$180,000.00 and the full \$250,000.00 and that is something that he expressed to me when we met. It has come to our understanding however it may or not be that there are few municipalities that will apply this year. That will also play into our benefit if that is true. I am considering anything over 50 – 60% a good win. Next week I will get it wrapped up and I will get it pulled together and it will get submitted. The last thing that does come down to the containers. I put the pictures in your packet. There are various sizes over here. One of the goals of what we are trying to do is to increase participation for residents that do not participate now because it is difficult to get them to participate and get the ones that already do to increase. Where we will see a lot of benefit is in the end in our annual tonnage. We do get grant funding at least for now and it is based on the annual tonnage. The other thing that Kevin and I learned from our meeting yesterday the plastics and newspapers and the valuable recycling that we do collect they will tremendously offset the glass and all of the not valuable materials that we get. The flip side of that is that we have to be careful of our guys lifting and dumping and all of that. We have 18-20 gallon, they do make them with a strap and wheels. The next two are 32 gallon with wheels and lid. They do make a size that is in-between. 20-24 gallon. It has a lid and wheels, but cost wise we will have to do a bid for a RFP when it does come out so that we can get some good hard numbers. The numbers are all over the place. A lot of it comes down to quality. The other part of what we have to pay attention to is the cost. We are going to try very hard to get the grant but we have to plan like we are not.

AL: When will we hear about the grant?

LH: We will not know about the grant until after the beginning of the year. Not officially.

JH: You want to order the truck when?

LH: The question and thought was is that we would have everything in place by the beginning of the year. We should place the order for the truck sometime early September. Order for the containers no later than November 1. That is even pushing it. Probably sometime in October. We have to figure out how we are going to get them to everybody.

AL: It is a reimbursement grant so we would have to order the truck anyway.

LH: We do the upfront cost regardless, yes.

KB: I know that we talked about this a little bit and depending on the geographic area within the borough we have urban areas and very rural areas. The recycling I imagine a family of 4 that live downtown probably do not use any less stuff than I may, but they will not have room for a big tote.

LH: That is something that Kevin and I are talking about. Some of the resident's downtown may not have much of a yard or garage and may just have their container sitting on their porch or yard or wherever versus where I live that has a garage and one of the bigger containers doesn't bother me a bit. So, we do have some different areas. I do have to say that a 32 gallon style the material is really good but what worries me is getting to a point where every stop has to be automatically dumped. That particular truck is not designed for an automatic dump at every spot. It is designed with the bins on the side that we can manually dump and move on.

KC: It would be nice if you could do an optional tote thing for people that do not have much whereas at my house I have a lot. I think it would be nice if you could make that offer of a smaller tote. Not a standard size for everybody.

KB: Kevin, I have a question. Recycling materials, generally weight less than somebody's refuse? So, I if I fill that green tote with recycling, yes there will be some glass but most of it will be paper and plastic and even if the thing is full to the brim it still can't weigh that much?

Kevin Plasterer: Okay, however if every house in your development gets one of them then I have a problem. The truck we are getting is NOT designed to pick up every household for that container.

KB: Any, your guys can't pick them up?

KP: They can pick them up but if someone leaves the lid up and it gets full of water, unless we drill holes in all of them.

Steve Brenize: Or, if somebody saves their papers for a long time and it is nothing but packed down newspapers.

LH: The wheeled cans by themselves are going to weigh between 15 and 18 pounds.

Steve Brenize: This is my thought as a borough resident, I like the regular trash can.

Chief: Nothing with a lid that will blow off.

KP: If you would live on Penn St and you have one of the big containers, I can't get it out.

KB: Well, when Lance and I were talking we were talking about giving options to residents which I know seems like a nightmare. I can see that. I just don't know what else to do. I could fill that little black tote up in 2 days.

JH: I put three of those out every week and that is just barely limited recycling.

SW: I talked to Waynesboro Borough because they went single stream last year and I said, what size are your recycling totes? 96 gallons, WM collects every two weeks and in the large part they are full.

AL: That does raise another question, but in the long run does it make sense to consider the trucks that are designed to lift?

LH: I am not necessarily sure it is maybe as much; well the trucks are a lot more expensive. Downtown where people do park along side of the street, I notice it now that the guys are wheeling the carts up and down the street until they find an open hole or they are throwing a bag to the truck. That is what Kevin and I are trying to figure out. How do we get to one that is for everybody?

JA: I do have a question on this; it read it does not nest fully assembled, what does that mean?

LH: What that means is that when they are shipped to us they will come stacked inside of each other and when they don't nest fully assembled we will have to pull them apart and put the wheels on them. Largely a lot of them we will have to drill a hole. Then there is the thing that the lids are needed.

JA: How much does that cost compared to the truck that can do it automatically?

LH: Right now we do not have firm numbers but we are looking somewhere between 205 and 215.

JA: That is another 75,000 dollars.

KB: If Steven would pick a trash can and even though he may have a front porch the trash guys still may not be able to get to that tote that is my concern.

KC: I know, I understand that.

AL: Okay, how do they get to the trash cans which are usually on the larger side but what they are doing is pulling the bags out.

LH: I would imagine that the guys pick the bags out, don't they Kevin?

KP: My guys probably would prefer to pick the blue one up and carry it between cars and dump it but... Right now the guys do pick up the whole can if they can lift it and if it is more than 50 lbs. they let it sit.

KB: Well, they will not put the lid back on because then that is how they know they have gotten it. Then we will have lids everywhere.

KP: I have seen the surrounding townships that have 3 or 4 of them sitting there. I know it could be a pain for residents but.....

AL: If you have rain or strong winds then the whole neighbor has trash.

Steve Brenize: That is the Chief's concern, if you can get a trash can that is designed with a lid it might cost more but then the concern will all the flying lids and trash around town. If you can get a lid that is designed to stay put.

AL: Then you will overfill it and the lid won't go on. I do wonder about trying to make two options available.

KP: I know that on mine I do not have a lid and it blows on windy days I have plastic in my yard. I don't want that to happen here in town. Those do come with 2 flaps.

LH: I guess that I am hesitating about giving too many choices because we are going to get a discount if we buy in bulk.

KC: If we get them from all the same place I am thinking that they will more than likely get a good discount.

LH: The way it was described to me at least by two of the vendors when you are ordering a 1000 you are at a certain tier and then when you get to 2000 then you are at a different tier, etc. The discounts grow based on the style and stack. We are looking at somewhere over 2000 right now.

KB: Unless we go to the little totes and then you are looking at 8-9000?

LH: If we would give a couple of each?

KC: What is the difference in cost?

LH: It is pretty substantial. The tote with the wheels is going to be somewhere between \$40 and \$46 each. The garbage can style is somewhere around \$20.00 and the little one on the end is less than \$7.00 to \$8.00. We haven't looked at getting prices on anything larger than the 32 gallon. I only got one price on a totes for the large one and that was like \$92.00 each.

JH: We want to encourage everyone to recycle.

LH: That is what makes it hard, we are trying to ramp up the volume.

AL: You think of that little bin as smaller but if you would use 3 of them they are not actually smaller.

They are taking up just as much area and if you can't stack them if they are full then it is actually taking up more floor space.

KC: Would it be easier to code the streets that would really not be possible to use the green totes and then you have to use the smaller ones. In my case, Earl St could have the big one because there are no cars parked out there. Whereas, Burd St. I can see you would have a problem.

KP: We could say, my guys are supposed to lift 50 lbs. of trash, if that tote is not more than 50 lbs. then they should be able to pick that up over a parked car and dump it? I see your point with drawing up a map on who can use and who can't.

LH: The concept is that the Borough would provide the initial round, whether it is one or two depending on what style is selected. Then from there they could buy them through us and hopefully get a better rate and then they could buy it at a lower cost.

KB: Are these going to come marked as recycling.

LH: Yes, whatever order we place they will work in the stamp for a setup fee and they will come out stamped.

KB: I think we have to go two different sizes.

JA: I have a question concerning the truck. If you have a truck that is able to take an automatic every time would that be easier on the guys/crew? If they are all on wheels?

LH: I think once they got to the street, then sure that truck would make it much easier but I am not sure that it helps us in the initial effort to get it to the street. The rear load with the arm is nice, but I know that at least Kevin and I struggle with is how do they get it from the curb to the street. Those trucks are designed for those kinds of totes so they will not be able to pick up cans.

JH: Is ownership going to be the homeowners?

KP: Yes.

JH: Okay, so if the resident moves they can take the container with them even though they can take it with them?

AL: It is under the care of the resident but it belongs to the property and has to stay with the property.

JH: I think that is something that we need to clarify.

LH: My thought is that if we own it, then maintain it and replace it.

SW: What if you require property owners to use those containers and we supply the initial one at no cost, is that the concept?

JH: I think that is what we are working on but again if that person moves within a year they can take the container with them?

KC: No.

SW: If they would then whomever else moves in there would be required to purchase a compliant container.

AL: It belongs to the property. You maintain it and you replace it but we provide one to that address.

LH: It belongs to the property.

Steve Brenize: You are giving this to us because you want us to participate in the recycling program. The first one you are getting grant money to buy them.

LH: We also would like to keep this uniform so that everybody has the same container, maybe not system wide but everyone on the same street would have the same container. I worry about the long term cost if we own them.

JH: I understand that but I want to make sure how we are doing this.

KC: Kevin, we all gave our opinions and if you had your preference considering the way the town is do you have a recommendation?

KP: I personally think that there should be two of them and two different sizes because you have one person or senior citizens that may not be able to move it.

JH: Do you go with the small tote with wheels or the box that does not have wheels?

KP: The tote without wheels and the reason that I say that is that I can ask my guys to take that container and sit it down on the street but it may be tossed and in the winter time the wheels might break. Then we get calls.

KC: They do come with lids?

LH: Yes,

JH: Attached?

LH: Some, not always.

KB: So you don't want wheels?

KP: This whole thing will depend on the 19th when we get the RFP back. They might charge an arm and leg and if that is the case then we will have to look at this whole thing again.

AL: Alright.

KB: Do we really get that much glass?

LH: Yes, it is not residential it is commercial. Kevin was telling me that there are some that have multiple containers of glass in one spot.

KB: That is good to know that they recycle.

KP: Yes, but it is not worth anything.

LH: Glass we get charged a lot to take it.

KP: It may even be cheaper to do away with it to commercial and let it go to landfill.

LH: I think what it really comes down to is that there is so much glass recycled there is not a large market for it. Which means that all the centers charge people to take it because they have to pay to turn it into something else. According to the guys at Penn Waste that completely flips us from making what could be decent revenue to probably a charge for disposal.

KB: We are not the only town with this many bars.

KP: Chambersburg Borough does not pick up commercial glass.

LH: What the guys at Penn Waste said based on the services that they provide that a lot of municipalities are having the commercial establishments get outside collectors for that reason. They actually asked us to consider that. We need to see what the numbers come in as.

JH: Okay, that might be something we need to consider.

DISCUSSION REGARDING PARK AND RECREATION

AL: This is a follow up.

LH: We have been approached multiple times by Southampton/Franklin to at least consider the possibilities of a regional Park Authority. Understanding that this sort of concept has been done in the past with various results, the way it was presented to me they very much desire to have a park system and do not. It makes logical sense to partner with us or to create an Authority because they are essentially right beside us. They are our neighbors. They have a large resident base and there is a large tax base and they are financially in a position where they can contribute to a park system. I think there are a lot of benefits for discussion.

AL: I think what we are looking for is for Council to decide whether or not they want to pursue the talks and discussion.

JH: Have any of the other townships agreed at this point.

LH: We would be the first just because.....

JH: I was thinking somebody was meeting before us.

LH: It is consideration with Shippensburg Township and then there is a thought of Hopewell.

JH: Has anyone talked to Hopewell yet?

LH: I have talked to them and they would be willing to consider the idea.

JH: Okay, then they have not joined in the discussion right now? This would be a great thing if we could get something regional that was more than just a commission or an advisory board that had some staying power. I want to pursue the talks. I will make a motion to continue talks with multiple townships that are willing to at this point we know that Southampton/Franklin is and hopefully Shippensburg so the motion is to pursue the talks with our neighbors.

KC: I will second that.

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

JH: One other thing, I think we need to let the School District know they could be part of this discussion if they wanted to be.

JA: The structure of the Authority, who would be responsible.

JH: Just by appointment. The member bodies would appoint.

SB: This is like the Borough Authority is to the borough.

JH: We would be at that point if we agreed we would be relinquishing our Park to the Authority.

JA: Would the Borough Council and the supervisors be able to intervene?

JH: Only by appointment.

KB: The idea is that every municipality, borough would have equal representation on the board so by stating that it would be impossible because you would have the same representation that Southampton would have or Shippensburg Township would have. I have a concern if we would do a regional Authority which I am for so long as it is well participated I don't see where the School District would come in to this now.

JH: I don't either but.

KB: I would rather they not be involved in the initial conversation.

SW: The district as a body could be part of the Authority from the legal standpoint I just don't know that they would have any interest and that is. All you can do is ask.

JH: Kerri, I agree with you but my goal here is to create an authority and at some point that authority's biggest user will be the school district. Out of courtesy we should extend it. Maybe not. We would have other partners too so they would have a say in that.

AL: I think that is left open right now. There is just exploration and we will come back and it would be nice to take a path toward this development.

DISCUSSION AND APPROVAL OF FY 2-15 CDBG GRANT PROJECTS

LH: Okay, what I have in front of Council for your consideration would be 5 potential grant projects for the 2015 CDBG grant round. #1 The Senior Center upgrades and improvements at a cost of \$15,000.00 that would be for exterior painting and replacement of the roof. #2 Would be for recycling improvements and programs for \$13,500.00 and again that would be for essentially additional support in regards to the containers. #3 would be our standard annual request for \$10,000.00 in Code Enforcement. #4 would be enhanced police patrols and #5 would be improvements to the Children's Park for \$10,000.00. They are ranked by submission. The county likes us to submit these according to what we feel we need. If the county gets in a crunch how much they can help us and what projects are more important to us. To me, again open for discussion. The Senior Center is a project that is moving forward and that would help that cause. We have put in for some other grant funding in regards to the Children's Park.

KC: Did we put in for the additional funding that Rebecca Yearick was talking about with the paint?

LH: That is actually a different program, yes. They are not doing that grant from the last time that I talked to her.

Mayor: Yea, they are not going to do it this year.

LH: It has something to do with the paint company? Not sure of the details. There is another grant; a land trust grant that she feels is suited for this. It is part of the walk way and it is also part of the Community Park. We have never applied for that particular so we will put one together in September for that.

AL: It actually seems like one of the lesser amounts that we have requested. I thought we have shot high thinking that it gave us a benefit.

LH: They do not have near the funding that they have had in the past. Talking with them they are down about 25% from last year in available funds.

AL: Okay.

Nicole Bard: The Chief just asked going out the door, the enhanced patrols from 8 to 15. That is what he just asked for.

LH: We can.

AL: We will just raise the overall amount.

LH: That would take us to \$63,500.00 in the total. It seems like that is the number that we generally get on an annual basis.

KB: I agree, I think that we should over shoot it.

LH: I want to get enough to just finish things.

KB: Is there a project that we could put at the bottom?

LH: There is one or two that we could put at the bottom to start as a phased approach. Maybe another one of our ramp sections. Those are much more than we anticipated in the past. Phase 2 being the construction.

KB: Do it, why not?

AL: Upon conversation, I would say throw it on the bottom and pad it and extend that so we hopefully get the same amounts at we have gotten in the past years unless you have strong directive from....

KB: Not to over ask.

AL: In the past it has worked well for us. That is the thought of Council is. Anything else on that?

We have an executive session with legal issues relative to construction contracts, rental agreements and personnel issues.

Potential action to follow.

Executive Session begins: 8:34 p.m.

Executive Session ends: 9:46 p.m.

We did discuss matters to construction contracts, personnel and real estate.

Lance Hoover: These are for Council to consider. They are pay estimates 18B and C and what they cover are costs related to bringing the treatment plant back to a two-train BNR facility which was something that we requested to be done so that we can operate effectively for the foreseeable future.

JH: The amount is \$32,071.62. With that said I will make a motion that we process the pay estimates for change orders 18B and 18C? In that amount.

Kathy Coy: Second.

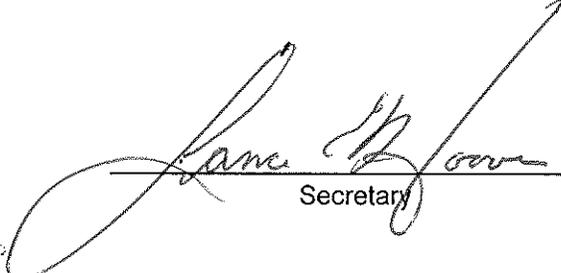
Andrea Lage: Any further discussion? Motion carries 6-0.

Any other business

Lance, Sam, Joe, Angie, Kathy, Kerri, John

John Alosi: I did share this with the other Council members. Something to look into in the future it is called an official map. An official map is a combined map and ordinance designed to implement the goals and community visions set forth in a comprehensive plan. So it is something that we could look into for the future for something to benefit the Borough.

Joe Hockersmith: Motion to adjourn.


Secretary

