

SHIPPENSBURG BOROUGH COUNCIL

July 15, 2014

7:00 PM

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

Absent: Bruce Hockersmith

INVOCATION: Joe Hockersmith

PLEDGE OF ALLEGIANCE: COUNCIL

PUBLIC COMMENT:

Andrea Lage: Is there any public comment tonight? Okay, let's move on to the reports.

REPORTS

Mayor – n/a

COMMITTEES

Finance/Budget – n/a

Employee Relations – n/a

Joe Hockersmith: Nothing at this time

Transportation

Kerri Burrows: This is a continuation from the last meeting. Transportation met and Angie was not able to make it. We did ask Kevin to come. The two issues that were brought up is the one that we discussed at the last meeting. The Penn St. situation. The one that we did not talk about was the Fort St. Last year council voted to make part of Fort St. one way and then shortly thereafter and after getting some more information the council then rescinded that resolution. We are talking about Fort St.

Joe Hockersmith: We are talking about the parking on one side of the street?

Kerri Burrows: We moved it from parking on both sides of the street to one side of the street and then we rescinded that.

Andrea Lage: That was based on the request from the Borough Manager on behalf of the sanitation dept.

Kerri Burrows: After we got more information we felt that it turns out that we sat down and talked with Kevin in detail. The most pressing issue is during the winter season. The sanitation does not have curb side pick-up but they do have to use that as a throughway and there is not a safe passage. As the snow is being plowed the cars are parking like this and then if you have another car they are parking like this and the sanitation truck is not able to get through and we had at least one occurrence this winter which emergency personnel were not able to through on that

street. It is becoming a substantial issue. This winter is was almost weekly. I think it is something that we need to explore. There were some suggestions from Kevin that maybe we could explore making it a seasonal thing? I don't know if it makes sense to do that or if it would make it confusing for residents. There is a similar issue that is happening on Stewart Place where there is a grass median. You can park on either side of the grass median and it is the same issue when bad weather comes. Fort St. we have been told that there is substantial off street parking. Stewart Place we do not have the same thing. Nonetheless, they can't plow the streets on the winter time. The street is not wide enough for parking on both sides of the street. Kevin along with Lance is reviewing the snow emergency plan. There is some feeling that it needed to be update and there were some issues that we ran into this past winter. The things that needed to be looked and when we hear back from them we are going to sit down and have another meeting but it does look like those two issues will be coming back to council.

Kathy Coy: Is the snow emergency route goes up Orange and down Burd, is there one on Fort St.

Kerri Burrows: No,

Kathy Coy: It could be included in it if need be?

Lance Hoover: It could be but we were at the point last year when we could hardly get a pick-up truck down through there.

Kathy Coy: We run into this just because we live on Earl. I know that on Burd St. from Fort St. is very narrow. That in itself being a two way is totally impossible. I often wondered when it snows, why doesn't the emergency go into effect and just let no one park there. It would make it a lot easier.

Lance Hoover: It would and that is part of what we are talking about because the way our emergencies are set up it really don't kick in until 4-6 inches of snow.

Kerri Burrows: Once the snow emergency route plan is in place we have to follow it and it removes the discretion from the borough. So if they are calling for 4-6 inches then he has to declare a state of emergency and it doesn't happen he can't cancel it. If we get more, Lance cannot extend the snow emergency. If it is supposed to end at 8 p.m. then it has to end at 8 p.m. even if there is only 30% of the Borough plowed.

Kathy Coy: I think also that if you change the snow emergency route I think it would prevent the residents that plow and pile it 6' high and that is going to take until March to come down. I honestly think if we get the streets plowed and then....

Lance Hoover: We will come through and plow and snow blow according to the emergency and then 4 hours later everybody is out shoveling their sidewalks and throwing that back on the street again. Which generally can be okay if we don't get hit day after day. We can come back through and it doesn't go to zero degrees the next week or day. That is what happened this year. At that point the snow blower is useless.

Kerri Burrows: I think that we started looking at this because we had so many complaints from residents and the more that we looked in to it, it is really not safe for our residents and you can't have sanitation not happening and you can't have police and fire not able to get through or into a location. The way that our traffic flow in inclement weather is preventing our residents from being safe and we have to take action to change it. We will have to find a happy medium between inconveniencing a resident and keeping them safe that will be the tough part. We will rely heavily on Kevin because he knows the streets better than anybody. We will base a lot of decision of what he says; his guys and the Chief and Randy have to say. We will hopefully have a meeting within the month of August so that we can take action before the snow hits.

Andrea Lage: Any questions?

John Alosi: I have a comment, but I will hold on. I was thinking about the number of cars parked along there and I know that some places where there is a stadium or a public transportation that

the residents get a parking sticker for the street. So if there is a snow emergency the only car that could be parked on that street would be the one with the sticker. Anyone else who does not reside on that street would have to have their cars removed.

Kerri Burrows: With Fort St being so far back I don't know that it would..... Chief do you find that during inclement weather that you have issues with mostly tenants on Fort St.

Chief: Fort St people come and go. Giving people permits? ?????

Kathy Coy: Maybe with some talks with the SU we might be able to work out some kind of agreement that they could move cars during bad weather to that area.

Kerri Burrows: Well, Fort St. What I understand from Kevin is that if it is a bright sunny beautiful day out there is no one parked on the street because they are all parked in the parking lots.

During the yucky weather, easy access the sidewalks are plowed the streets are plowed and it is easy for them to just jump out of the house into their car. That is when they are parking on the street. Stewart is a much trickier situation and they have nowhere to put the cars and the closest public lot is Memorial Park which is a fairly good distance away from Stewart Place.

Lance Hoover: The one thing that Kevin and I looked at is Phase I what we call the inner loop vacated but where do they go?

Kerri Burrows: Stewart Place is affected regardless of the snow amount to plow or even salt.

Kathy Coy: That is parked on both sides. If you could even get through and clear it once.

Lance Hoover: Instead of parking spaces on both sides, just have them angle in.

Joe Hockersmith: I don't think it is wide enough for that. But could we shrink the grassy area 5' on each side.

Kerri Burrows: Like I said, it will be revisited and out street manager will get more information.

Andrea Lage: Alright, it will be worked on and we will hear more in another meeting?

Chief: Fort St are college students and once they are here they don't have to go. Once Kevin goes down that street the first time and the cars get plowed in they are done. Then that builds up in the street and that makes the street even more narrow. I asked Randy to bring the engine down the street and he couldn't get down.

John Alosi: I would like to amend that what I said.

Public Works/Property

Kathy Coy: We will meet on the 28th unless anybody has any issues. Would you rather do it Tuesday night? Okay, then the 29th @ 5:30 p.m. I will confirm with Nicole.

Planning/Zoning

John Alosi: I will be attending the Tri-County Regional Planning Commission meeting on July 24th.

Technology

Angie Facchinei: We met before the last meeting and we did have meeting with Global and Tom Briggs from SU and that seemed to go pretty well. We are still in the talks to upgrade the website.

Lance Hoover: I think that we are coming up with good ideas and we are trying to catch everybody that has their hands in it. I think it will turn out pretty well or whether we can upgrade what we have as a start and maybe work toward something else when we get a chance to build some finances and plan for that. There have been a few changes that came in. There is a search box now. It is progressing along. We are trying to figure out how to make it more user friendly.

Angie Facchinei: I think I sent a sample page along with the social media page.

Lance Hoover: We are going to push the NIXLE now to get the word out.

Shippensburg Area EMS

Heather Franzoni: Just a couple things for you. Normal report for June. As a total we ran 237 calls with 146 were life support and 99 of them were paramedic unit. Just within the Shippensburg Area we ran 43 BLS calls and 27 ALS for a total of 70 calls. Update you with the West Shore pulling out, our second medic went into service on July 1 and we have our normal primary zones and we only picked up Newville, North Newton, Upper Mifflin, West Pennsboro and Penn and what we did not pick up for Medic 4 I as of right now and we are working with Pleasant Hall top hopefully change that but right now we did not pick up Cook, Letterkenny, Orrstown, Lurgan, Fannett and Green Township they decided to still run the West Shore Unit out of Chambersburg for now. As of July 1 we are running two medics in the Shippensburg Area and we picked up all of Newville. Things are going good. We used our Advanced Airway System and it worked well. Hopefully we can get the Pleasant Hall area. Nothing has really changed with coverage. Any questions? We are keeping a close eye on it.

Andrea Lage: Thank you Heather.

Fire Chief – n/a

Park and Recreation

Andrea Lage: We have in our packet the survey results.

Marlin Gruver: Basically we got 1% of Borough residents response to it. Out of that it looks like special events and walking are the greatest likes. There is still a lot that we need to look at.

Kathy Coy: I went through it; I was disappointed in the age group. I have this thing about getting the 13 to 16 year olds and I don't know how to reach them. The suggestion would be maybe to hit the school and ask them to fill it out. To me, that is the age group I want to see their ideas on the park. I would like to reach out to the school.

Joe Hockersmith: I think that is the medium age group of the community where the sampling is.

Kathy Coy: Yes, I think this is a good to know but I still think that we are missing a group too.

Marlin Gruver: We are also missing the ones that have children.

Kathy Coy: Yes, I agree.

Andrea Lage: If you aggregate the infant through college you actually have a number that is greater than the one that said none. In any particular group you didn't have many. This gives us certain information and that there may be another way to get us information as well. I think if you were to approach kids you might need a different instrument. I don't see this as appealing to them.

Kerri Burrows: Has there been talk about putting this at the fair again?

Marlin Gruver: WE have not talked about that. We went through with this and we didn't get the response that we thought we were going to get.

Kathy Coy: I do appreciate the time that we put into it.

Marlin Gruver: I did find that a lot of them want certain things that used to be there such as the softball tournaments and things like that. A lot of them responded that they wanted that.

Andrea Lage: What were the dates?

Marlin Gruver: October, 2013 through January 2014.

Andrea Lage: Anything else?

Solicitor

Sam Wiser: Nothing at this time.

Police Chief

Chief: Any concerns or complains about the curfew ordinance since it has been in effect? Any complaints about the smoking ordinance? We are experiencing an increase in huffing in the community and individuals doing that. That is costing us money for getting an analysis and it takes years to get the money back. We had some instance of graffiti.

Kathy Coy: Is there some summer projects to paint over that.

Chief: We find it is best to make their parents pay or have them pay. The homicide is still ongoing. We have an officer still off.

Andrea Lage: Do we have a sense of when he will be back?

Chief: He is WC, so I go by what they tell me.

Andrea Lage: Thank you Chief.

Borough Manager

Lance Hoover: We touched on some technology. The ground breaking is Thursday the 17th @ 11:00 a.m. This ties into the Christmas in July that the Chamber is doing. Rebecca Yearick kind of spearheaded the idea. It seems like good timing. Some of the press is set up and there are 4 or 5 people that will speak. On the ADA ramps at King and Earl, finally some good news. Our issue has been rectified and I talked to Kevin before the meeting and they will be pouring the last sections Thursday.

Joe Hockersmith: What was the issue?

Lance Hoover: We are required to be at a certain slope and we were 1/16" off. What that meant is that we had to put in to a variance with Penn Dot. Hopefully by the weekend that will be ready to go. Just in time for fair week to start up. It will be very nice when it is finished.

Grants: Two updates. The greenway trails and resolution is on the agenda. I will be delivering it to Harrisburg tomorrow. We will apply for \$166,790 toward the restrooms but it is also toward some work at the Children's park as well.

Kathy Coy: Do you know what that will be at the children's park?

Lance Hoover: It is for walkways and playground equipment.

Tree Vitalize: That grant is submitted and Nicole put a lot of work into that this afternoon to get that finished off and ready to go. We did hear back from Franklin County tourism and quality of life and we were not selected for that one. It was about a \$9000.00 I applied for walkways and some things we would like to repave and add in Memorial Park so we were not accepted on that one.

USDA Grant: We applied for the Utility Interceptors we had originally been told that we were not approved and that incorrect and we have been approved for the grant of \$39,500.00. What that means is that we will be able to pick up both of those Utility interceptor vehicles. The Chief is working on his portion of the second.

Katie's Place: I will meet with the people there and keep us on track with that. How they are progressing. Block grants are due in August 22. Then we will be applying for a recycling grant for some equipment. Any questions?

BUSINESS

CONSIDERATION TO APPROVE THE MINUTES FROM JULY 1, 2014

Joe Hockersmith: Move to approve.

Kathy Coy: Second.

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

CONSIDERATION TO APPROVE CHAMBER OF COMMERCE AND DOIT REQUEST FOR FIRE POLICE ASSISTANCE ON SATURDAY, SEPTEMBER 27, 2014

Lance Hoover: The Chamber and DOIT are holding a joint program on Saturday, September 27th and what is going to be for is "Spill the Beans" also Hot Rod and Motorcycle show. They would like some fire police assistance for the time of 11 to 2 on that Saturday.

Kathy Coy: I will make the motion to approve on Saturday September 27.

Angie Facchinei: Second.

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

UPDATE REGARDING THE SANITATION STUDY AND RECYCLING

Lance Hoover: Where we had left it before the first part of the study was that we were doing the RFP for outsourcing the recycling services and we did that and complied the numbers and as we all know it did not work out as well as we had hoped. We rejected the RFP and came back and continued our study. I did a couple things and I put together an addendum and I thought it was the best way to do it. I thought it was a good idea to have the whole packet as a group to send back out to everybody. What we went back and looked at is what options that were remaining for us. The position that we are in is that we need to explore our options and see what we can do to keep and improve our services and provide a more efficient way of doing things and see what we can do to try to bring some positive changes to our sanitation department. I went together and I put 5 total. One option we have is to restructure of the materials that we collect and drop that back to only materials that we generate revenue from. Now the big fear is over overhead stays and the collections system stay but there would be a reduction in service but no reduction in cost. It is not really in our best interest to do that. The turnaround is not going to be substantial. It is an option but I did want to cover that briefly. We could keep our current system and again it is just an old way of doing things. Back in the day, we were the pioneers it was source separated and that is the way the recyclers wanted it. It has worked pretty effectively up until the past 5 or 6 years and that is why we are sitting here today. Technology has gone way past where we are. We actually get to some degree penalized for doing it the way that we do. Our participation is low because it is a pain. We get charge a pretty substantial amount because there are only one or two places that will actually take them separated and it is really not efficient. Our staff is making multiple trips to the residents and keeping it the way it is, is not in our best interest either. There are things that I would like to do, that comes down to restructuring our sanitation rate. Right now our bills are separate and our sanitation shows sanitation, a recycling and it breaks it down. Generally what is important to understand is that our sanitation has a lot of components. It is solid waste, it is composting, it is leaves, it is yard waste and five and six things wrapped into one. I think it will be very beneficial for us to on the residential side bring that back and create just one sanitation bill. As part of our education I think it is important that we let everybody know that your sanitation includes all of these things. When you look at the services that we provide versus the rate that we charge it is actually a pretty good rate for our residents. We do provide a lot of services that municipalities do not. We have the equipment and the staff that is trained to do so and we do it pretty efficiently. I think it is beneficial to create one sanitation bill for our residents. Commercial we will leave as it is. On the residential side it is very basic. We were fortunate to get a grant for Gannett Fleming to do a recycling sanitation study for us. They kind of mirrored the points that we have put together also. They believe that we should look at a single bill for our residential.

Andrea Lage: They have substantiated that we do have low rates for what we offer.

Lance Hoover: Yes, for the amount of services that we provide. One thing that I would like for council to start to consider is a small increase as well. It is in our best interest to look forward to 1 to 2.00 per quarter. Again, based on the services that we provide it is still a very good service for a good price. I think that when we lay that out and put that into a written form so people can see what actually is available and truthfully I would think that there are residents out there that do not realize that we provide

those services. That is my number 5, I would like to see us consider and move toward a single bill and one component for our residential side. One of the things that we talked about is doing a RFP for all of our sanitation services. What that comes down to is just a very good academic maneuver. It will provide information for us and give us some additional background numbers and data and I believe that it will produce numbers that are not good enough for us to consider. Again, if we are a break-even point that is probably not good enough. We would need something that will place us in a position to provide the same or better service and to generate revenue. We still carry a large amount of overhead that still needs to be funded so our sanitation and recycling is a part of a much bigger picture and for somebody to come in at a decent rate at one end is going to be okay but then when you bring all of those other components in it makes it very difficult to get us to a position where we actually break even. Item #2 is the one that I am in favor of. It is updating our current system to what they call a single stream recycling system. Right now, we source separate and we have multiple containers. Kevin actually tells me a resident who takes their stuff out to Newburg because it is easier. The single stream would allow us to have everything placed in one container and will make it much easier for our residents. This shows you a couple different varieties of containers. Other municipalities that have gone in this direction have seen large increases in their participation. The benefits that we see are more material and we will get credit and our grants will be higher at the end of the year and as a result other municipalities do see their solid waste tipping fees and their annual tonnage drop off. All of those things that people do throw away will now go in the recycling container. I think if we do 15% to 20% we will be doing really good. It will be a reduced cost on our sanitation side. I think we will see our disposal fees cut substantially. It is just that technology has gone way past where we are now. I think it will be received very well. I think it will be much easier to put it all in one container. I think it will make our town look a little better. I think that there are a lot of positives to it. In order to do so we will have to make a couple Capital investments that we have to make. The truck that we have now while it is great for the way that we collect now it is completely unacceptable for a single stream. If we try to place cardboard and paper unbound they will end up all over the place. We actually do need to progress to a truck from in what you have in front of you. It is a contained vehicle and it looks like a trash truck. It is a recycling truck because of the way it actually operates. I think we also should consider providing totes or at least providing them at a very reduced cost. Again, it is something that will pay us back over the long run. To combat some of those costs the state is actually opened up a round of grant funding. If council decides and agrees that we should go this way we will certainly apply for the grant. It is a grant that could go up to \$250,000.00 and I have already met with both the county and DEP who are participants in the review of those grants and somewhat key factors in deciding who gets what. They do support our project. They advised us that if we do decide to move forward that we should apply for the truck and the portion of the totes and that they feel pretty comfortable that we stand a good chance of some type of grant funding. The key is some type. The thought is if the grant funding comes through then that would replenish our capital reserves and every two or three years we can look at replacing that truck. If it does not, then we need to be very thrifty. That is the one area of caution that we have to be aware of. I do have a good feeling that we would be receiving a portion of the grant. The grant at the end that we would get from the state will certainly not something to be overlooked. We were in a position before that we got 10's of thousands of dollars and I think we will be right back to there again simply by the amount of material we can expect to collect. I think it is something that will build over the first couple years and I don't think everybody will catch on right away but we are looking at our drivers should be much more efficient and we are hoping that there are a few hours a day where they can get done with their route and do something else. I think that there are a lot of benefits. I will try to put together a good grant application. It is an opportunity to take the program to the next step. We will collect a variety of materials. We will have magazines, phone books, glossy advertisements, etc. Getting more material. My thought is to place that in front of council. Any questions.

Andrea Lage: Just a statement. Gannett / Fleming did an independent study and came to the same conclusions and has the numbers also for the savings.

Joe Hockersmith: What type of timeframe are you looking to put this into, apply for the grant, order the vehicle, etc? What are you looking at?

Lance Hoover: It is probably not realistic until the turn of the year. A couple components, the grant, the application is due in August. It is August 22. They will make their notification somewhere around the beginning of the year. The way the grant would actually work is that it is a reimbursement grant. Either way we will make our decision and we will progress down that path and that is actually part of the structure of the grant. They want to know that we are serious. We do need to update and change the ordinance. The vehicle is the biggest lead time. It is probably 6 to 7 months right now. If council is willing to go this way there is a couple of things that I will ask authorization to do. One of which is the truck, lead times, costs, size we have kind of taken a quick but decent look at some of those things. We didn't want to get too involved until council is on board. One RFP that will definitely have to do is a RFP on a long term contract for the disposal of our materials. We will have to do a RFP for the toters so we have a firm understanding what the costs are there. We will carry it out as far as York and Harrisburg just to try to get a good number. Now with that in mind we have to factor in our transportation cost and time to do so. We have been lead to believe that we can easily get our disposal down to a zero and possibly generate some revenue. We need to look at what kind of components we will actually take there. We may reserve the right to keep our commercial cardboard and just take it wherever we want. We are fortunate that our business and our commercial establishments participate very well. I think some things that we want to consider as far as making it in our best interest. We want to look at an at least a 3 year contract. Maybe not the five years. That alone helps us to swing in the right direction pretty quickly.

Joe Hockersmith: What action do you want tonight? What are you looking for Lance?

Lance Hoover: I think that is up to council. We are pretty well vested in our program and to try to get out of it is going to be extremely difficult and there is a very firm chance that it will not be financially beneficial to us.

Andrea Lage: Can I say this; I think we need a RFP for the truck, an RFP for the toters, an RFP for the disposal and for the permission to apply for the grant if we want to go ahead.

Lance Hoover: Yes, that is what I would be looking for if council is supportive of that. It goes way past me.

Kerri Burrows: I am intrigued by these toters. That is interesting, I like the wheels.

Lance Hoover: Kevin and I are on different sides of the fence on this. Kevin believes that the non-wheeled ones would be better.

Kerri Burrows: He would be wrong.

Lance Hoover: The one thing that we have to watch for is the size. Right now we limit to 50 pounds and when you get a toter I have personally shoved mine full. It will have a side loader. What we will have to figure out is the best size and the style. Since we do collect weekly the thought is we don't want to give everyone a container that is enormous. I think one thing that we are finding out is that they will fill whatever container we give them.

Kerri Burrows: When we are talking about these toters are we talking about regarding the recycling but would be also be looking at regular sanitation and the reason that I ask is that I see whenever it is trash day there are often people do not have trash cans and sometimes there is a large possum issue. I am wondering could we potentially look at doubling up in agreeing for trash and recycling.

Lance Hoover: Well, we can but the cost. One thing that the container would do is keep the residents in check. We are allowed 4 a week. The hard thing there is we would go to 96 gallon containers; he would just reach in and throw them. Our truck doesn't have a dumper.

Kathy Coy: Go down some of the student rentals.

Andrea Lage: Yes, but what if it is not in bags then you have this really heavy container.

Lance Hoover: When we get downtown a toter is almost impossible even for recycling. Some of our streets are parked bumper to bumper and they walk the streets 4 times. We have a lot of details to finish up. Where is everybody going to store toters? Some places do not have a spot to put it.

Kerri Burrows: The 96 gallon for recycling is just crazy to me. But for trash, that is why I was asking.

Nicole Bard: The truck is not equipped to flip a toter.

Lance Hoover: The truth is maybe in the next couple of years going in that direction. Really the thought is if we give everyone a decent size for their recycling it will promote them to go to the recycling and then possibly we will see reduction on the solid waste side. The one thing that does worry me is cost. We don't have the funding right away. If we didn't get grant money we would be depleted but empty. We want to pay close attention to where we stand as well.

Andrea Lage: If you did it in a phase I was sort of thinking that generally you see recycling in smaller than you general trash toters and you would go on no more than a 32 gallon. If you did that then you would see what happens to your solid waste amounts as well as how maneuverable they are when they are filled.

Kerri Burrows: But they are not picking them up.

Andrea Lage: Let's just say that this is the best case scenario that you put out a 32 gallon for the recycling truck that has an arm. They still have to get it to the truck and we will see how that goes and then they might have an idea what size if we did go to a toter for trash can you go much bigger than that and still maneuver them. With the smaller ones you could see how it works.

Joe Hockersmith: Could you read the list of priorities again.

Andrea Lage: An RFP for toters, an RFP for the truck, and RFP for disposal rates and permission to apply for the grant.

Joe Hockersmith: I make a motion to authorize management to put out RFP's for toters, the truck and disposal rates and permission to apply for the grant. Management had lead way to figure out how to do that.

Kerri Burrows: Second.

John Alosi: One I think single stream makes sense. The last few years the changes that have made it possible to have single stream and I am certain that the years ahead there will be more changes that make it more efficient. The truck would be capable of accommodating different size containers?

Lance Hoover: Yes, regardless of the size the dump bars are all in the same position. The truck that we are looking at has options. It has options such as bins. We are trying to get to the point to improve our efficiency as well.

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

We should thank everyone, Kevin and Lance and Nicole on all the work and it is quite an undertaking.

DISCUSSION REGARDING THE INTERGOVERNMENTAL AGREEMENT WITH FRANKLIN COUNTY

Lance Hoover: What you have there is something that is not new it has appeared before. Really I think that the last time it was placed in front of council there was a handful of pending changes that needed to be made. Franklin County sent those back to us late last week identifying that the changes had been made and requesting us to again consider it for approval and signatures. From what I can tell it looks as if the changes that had been requested are incorporated.

Sam Wiser: I would concur with that there is a very very long backstory with this and I won't get in to it. Essentially I was involved in negotiating the agreement in behalf of mostly Franklin County and we arrived in an agreement and in this form is acceptable with the caveat that there is some additional work with the department of emergency services need to do to assist them on their end. Relating to SOG's and communication between the end users and the county.

Andrea Lage: So you are saying that we are good to go? Tell me your opinion.

Sam Wiser: From the agreement standpoint, yes. The agreement needs to be effectuated and the next process can move forward and coming up with policies for the use of the system that are reasonable.

Kathy Coy: I will make a motion to sign the intergovernmental agreement with Franklin County.

Keri Burrows: I will second.

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

CONSIDERATION TO APPROVE RESOLUTION 14-014 AUTHORIZATION TO APPLY FOR DCED GRANT FUNDING

Lance Hoover: This ties into what we just talked about and what this actually does is it allows us to request a grant for \$166,790.00 in regards to our Park and Rec project. This is for the restrooms and upgrades to the Children's Park and it also allows either Andrea or myself to effectively execute any and all documents regarding the grant should we be fortunate enough to receive the grant and basically just allows us to continue with the submission.

Kerri Burrows: I will make the motion

Kathy Coy: Second.

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

Sam Wiser: There is an executive session regarding potential litigation relating construction contracts involving contractual matters and action to be taken following the session.

Begins: 8:20 p.m.

Ends: 9:55 p.m.

Andrea Lage: We have discussed contractual matters.

Sam Wiser: Potential litigation related to construction contract relating to contractual matters as well as personnel matter relating to Union negotiations as well and the management position.

Andrea Lage: Okay, so coming out of that we do have action. The first up is that we do need to ratify a professional service agreement with would name Glace and Associates as Certified Operator for the WWTP.

Joe Hockersmith: I will make a motion to approve that professional service agreement with Glace.

Kerri Burrows: Second.

Andrea Lage: Any further discussion? Hearing none, motion carries 6-0.

That has been done in light of letters that we received from ARRO. We need to acknowledge receipt of those letters that which effectively terminated their services with the Borough as of July 10th. The contract operator has in fact been operating for us because we haven't met until now since July 10th. Further there is a mediation agreement that we need to approve and we have done this before but it has been modified. It is a mediation agreement that is between the parties involved and the WWTP ENR upgrade.

Sam Wiser: Yes, it is a mediation agreement with PAC II of Aqua as well as CFJMA as a participant relating to construction and issues at the WWTP.

Andrea Lage: So we would need a motion to approve the signing of the final agreement.

Kathy Coy: I will make the motion to approve the signing of the agreement.

Joe Hockersmith: Second.

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

Andrea Lage: The last action that I have coming out of that is the approval of professional services agreement with Salzman/Hughes outlining the terms of their services to us in regards to the WWTP issues that have arisen and the ENR upgrade.

Sam Wiser: ...Which is a joint representation with CFJMA.

Joe Hockersmith: Move to approve the professional service agreement with Salzman/Hughes jointly with CFJMA in regard to WWTP.

John Alosi: Second.

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

If there is no other action that we need to take care of we will go on to the any other business.

ANY OTHER BUSINESS

Brian Salzmann: I did want to mention to council that if you could consider, if you have been following anything with the happenings in Harrisburg and the budget currently the budget is in a form called printers number 3933. As part of that there is something that on behalf of our municipalities the borough's that have police forces, we were asked over a year and half ago to try to get active in which is essentially an increasing in the hotel tax in Franklin County, that would include a provision to allow for grant funding to be distributed to municipalities that have police forces. Currently printers number 3933 that was adopted which is the Senate amendments to the House amendments of House Bill 1177 are currently now going back to the House. I think letters of encouragement to the elected officials on this specific issue would be helpful because it also does provide for some funding for Franklin County to municipalities for economic development as well plus your police forces as a result of that.

Andrea Lage: If it is the will of Council do we have a motion to authorize the sending of letter of support.

Joe Hockersmith: So moved.

Kathy Coy: Second.

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

Sam? Joe?

Joe Hockersmith: I am looking at this letter from Carol Taylor and I understand some of where she is coming from but my concern is she mentions that people do things without permits. How do we check on that? Projects that are done and I go by and I don't see a permit in the window or property?

Lance Hoover: A lot of times it actually does come from that and our employees are all over the town and they do look for work going on and periodically we will find it that way and a lot of times it comes from calls from a neighbor or various things like that. I am sure that there are projects that go without our protection as well. When we become aware of them we go and check them out and if they do not have a permit we let them know and we get them to come in and do the paperwork and let Donna know. Donna will go out and check on those things as well.

Joe Hockersmith: That is what I wanted to make sure of also.

Andrea Lage: We also see before us the opportunity to discuss Land Use.

Lance Hoover: There are a lot of clarifications that we can make toward our land use portion. What it does is revert things back to the state code. We do get a lot of questions and complaints about how do I know that I need a permit?

Andrea Lage: Maybe on the website also. There is so much on our plates it might take us a while to get to the actual ordinance change.

Angie? Kathy?

Andrea Lage: We did also have a letter in our packet that expressed some concern about the gas line. In talking with Lance today he showed some information and do you want to share that with Council?

Lance Hoover: Sure. I was in contact with Jim Miller with UGI and he has very graciously identified that he will be very willing to attend our second meeting in August to give us a update on what the plans and timeframe are for that line that will go back through the park and then through Park Place and back to Volvo. In addition to that he will be willing to answer any questions that we have. I happen to run into him in a different meeting and asked if he would be interested in getting questions and I think council would like to hear as well. He said, yes that would be fine. He will be here for the second meeting in August.

Angie Facchinei: Does Forest know that?

Lance Hoover: At this point he does not; I wanted to tell you first. They will certainly know along with everybody in Park Place.

Kerri?

Kerri Burrows: This does piggy back off of Joe's, my first question is that was there a planned response for Ms. Taylor's letter?

Lance Hoover: Yes, but I am not sure what the response is because it is relatively gray. What she wants to do is ornamental but I think the premise behind that is if we view it that way with hers which is certainly fine by me we should make some adjustments so that is clarified and there will be others that will certainly come in as well. What she is asking for is not necessarily a fence it is a long stretch of fence but not necessarily fencing anything in. It is decorative with what she wants to do.

Kerri Burrows: Or did it appears.

Lance Hoover: What our code enforcement through Donna and some discussions in review of the code, the intent would be that it would be permanent.

Andrea Lage: Would that be the state code.

Lance Hoover: I think that largely yes, there are things in the state code because of the length it would require that to be permanent.

Andrea Lage: I was talking with Lance and I had seen the letter also. Many years ago council considered a fence ordinance and we decided not to go forward with that and to leave it as permit required only for fences over 6'. Well, 6' or over. Again, the type of permit that might have been might not have been a land use permit it may have been a building permit instead. I didn't think about the two of them. I do think it makes sense to reference the state code and that it is hard to go against it. That said, if it is more discretionary council has decided to not get involved.

Sam Wiser: I will provide a little background as to what happened. Chapter 87 of our code was adopted prior to UCC being adopted by the state and borough used to be the entity that issued building permits for construction. Once the Uniform Construction Code (UCC) was passed then the municipalities switched to what we now call Land Use permits now. The language didn't change in Chapter 87. A lot of that is carried over from the way we used to do things in issuing building permits and hasn't been updated in quite some time. What we do now is more from a zoning standpoint.

Andrea Lage: So, how can we help Lance in a situation like this? I think it isn't our intent if they are doing it within their property.

Kathy Coy: It seems like it should be geared toward property boundaries or large structures that could fall and harm somebody but again, if you are not 6' or higher I do not see huge risks with a shorter fence.

Sam Wiser: I think maybe that is something that maybe your Planning/Zoning committee could take a look at. It is its own stand-alone ordinance.

Joe Hockersmith: Carol talked to me last week about this and I guess my only question was then and is now she called and asked if she needed a permit and she was told that she did, what is the big deal?

Kerri Burrows: Yes, I agree.

Joe Hockersmith: So, you know.

Kathy Coy: I think what she is just stating is that she felt that it was maybe unnecessary.

Andrea Lage: and her answer should have been no.

Kathy Coy: I think she feels like we over regulated for residents. I agree with her to an extent.

Kerri Burrows: You have to have it though. Let's just say that she wanted to paint it hot pink?

Andrea Lage: We don't have any ordinance on aesthetics.

Kerri Burrows: I am not saying that we do, but does it have to be approved or a notice sent out or anything? So essentially they are paying the borough to put up an ornamental fence.

Lance Hoover: That is what it turns into, yes. The land use, they will get the plaquard and the copy of the land use signed and then when it is done it goes away.

Kerri Burrows: The other issue that I have is that I had a call from a resident who wants to stay anonymous. They have a fire pit concern. -----Ave. I do not feel like this pit will be in violation of anything. It sounds as if it is within the setbacks, etc. The issue that they have is the last several weekends there has been a constant campfire from about 10 a.m. until 11-12:00 p.m. The smoke is crossing the boundary lines and into their windows because it has been cool enough to have their windows open. Now, I know that is in violation of our fire pit rules. The bigger issue was they have never said anything to this neighbor however they know that this neighbor knows that it is affecting them

because it is apparently on several occasions they brought a fan from their house down and plugged it in so they can blow the smoke in the other direction. The people in the fire pit are the ones that have the fans. They are trying to be courteous.

Lance Hoover: We will say something to Donna and have her check it out.

Kerri Burrows: Well, she also wants us to explore the cat leash law.

Andrea Lage: Okay, duly noted.

Kathy Coy: The alley way behind Cumberland and Montgomery Ave? Somebody has made a complaint that there is an extension cord that runs year round from one resident up to a garage up through the alley, I am guessing that they own the garage up there and so they run an extension cord through water year round. I don't know if it is still there.

Lance Hoover: Okay, we will check it out.

John? Lance?

Lance Hoover: I do. Hopefully everybody has noticed some of the basic things that are going on downtown. The summer help has finished painting the green street signs on King and Earl St. We trimmed all of Orange St. The curbs on King and Earl are done with the exception of the square at the handi-cap ramps and in front of Sheetz. I am talking to Kevin and we are going to carry that back toward the University and the cross walks and things like that.

Joe Hockersmith: I did want to say something and the young man painting the curbs is doing a wonderful job.

Kathy Coy: Why are the barriers still up at King and Earl?

Lance Hoover: They are still working on them.

Andrea Lage: When are they scheduled to pour concrete?

Lance Hoover: Thursday and it looks as if the weather will cooperate.

Joe Hockersmith: Motion to adjourn

Kathy Coy: Second.

Meeting adjourned: 10:47 p.m.


Secretary