

WRIGHTSVILLE BOROUGH COUNCIL  
MINUTES OF AUGUST 4, 2008 MEETING  
COUNCIL MEETING ROOM

The regular meeting was called to order at 7:00 PM by President Young who led the salute to the American flag. Also present were M. McDonald, E. Sipes, T. Groft, N. Habecker, L. Kirkessner and Mayor Lindeman, along with Solicitor Tilley, Engineer Klinedinst and Police Chief Pearson. The meeting was recorded.

Mrs. Young explained the absence of Secretary Dietz. Donations can be made at Northwest Savings & in containers distributed within the Borough.

The July Fire Report was available; Mrs. Young commented that responses increased from the previous month.

PATRONS: Lila Cross applied for a handicap parking space at her residence at 210 Orange. The application was not available for review. After discussion, Mr. Habecker moved, Mr. Sipes seconded, to approve the application, pending proof of vehicle ownership and either a State placard or statement by a doctor that the space is needed. Motion passed unanimously.

John Pogue, David Miller Associates, presented a sketch plan showing the proposed expansion of the John Wright Restaurant at S. Front & Walnut Sts. There will be no change to the parking area. He requested 2 variances: to the building set-back regs & to flood plain requirements. Bruce Evans, Cox Evans Architects, explained that the addition will include an enlarged kitchen & dining room with an extended terrace. The existing building is presently located on the southern r/way line of Walnut St. ext.; the plan is to maintain that line to the east for the north wall of the addition. While the existing building is not in the 100-yr. flood plain, a portion of the addition will be. The extended building floor will be at the same level as the existing building for interior safety, requiring a modification of the 1 ½' freeboard requirement as permitted by s. 702 of the flood plain ordinance. Mr. Habecker moved, Mr. Sipes seconded, to approve a variance to the 25' set-back requirement to allow a "0" set-back to maintain the line of the existing building, and a waiver to the freeboard requirement in the flood ordinance because the portion of the addition in the flood plain is minor compared to the size of the existing building. Motion passed unanimously.

Dennis Potts, Gordon Brown Associates, presented a final subdivision plan of the property of Harold Nelson at 512 & 518 S. 2<sup>nd</sup> St. Lot #1 contains an existing dwelling on 6,500 sq. ft. & Lot #2 is an undersized parcel of 4,750 sq. ft. to be attached to other lands of Mr. Nelson where his house is located. This will provide direct access to S. 2<sup>nd</sup> St. Mr. Klinedinst recommended approval with a waiver to s. 404 of the subdivision ordinance relating to scale, & s. 402n & 402o, relating to contours. A non-building plan moderm must be submitted to DEP. Approval was granted by motion of Mr. Habecker, seconded by Mr. Groft. Motion passed unanimously. The plan will be signed when iron pins are set & the planning waiver is approved by DEP.

Sandy Waugh asked if 2 handicap signs at the Locust St. UM Church can be changed from "no parking anytime" to Sunday only. Chief Pearson said that no PA law prohibits such change. Mr. Groft suggested contact with the church prior to making any change. He & Mr. Sipes will make contact & report to Council at the next meeting.

Fred Fidler, 620 Locust, requested more time to work on his street rod; he had been given a deadline at the June meeting. Council agreed to extend the deadline to the end of 2008.

Robin Geesey asked if Chief Pearson had been given permission to take the police car out of the Borough; he said he had gone to the State Police lab in Harrisburg. She also asked if officers are permitted to go out of the

Borough for lunch; the Chief answered that he gave that permission. Mrs. Geesey recommended that Mrs. Dietz be granted a raise because of her computer skills.

Diane Leiphart asked if the owner of 223 Orange has been notified about property clean-up. She was told that notice had been sent.

Linda Bayman, property located at S. Front St. & Spring Alley, requested a set-back variance to locate a patio (15' x 18') 2' from the side property line. Her neighbor provided written agreement. The north side of the patio would be in line with the house wall, which is 1' from the alley. Mr. Habecker moved, Mr. Sipes seconded, to grant a variance from 10' to 2' from the adjacent property at 320 S. Front & to allow placement 1' from the alley, making sure that storm water doesn't affect the neighbor's property. Motion passed unanimously. A storm water plan is not required because the patio will cover less than 1,000 sq. ft.

John Cressler intends to install a retaining wall less than 4' in height at the front of his property at 751 S. Front. Mr. Klinedinst noted that this would be in the Penn DOT r/way, so he needs to obtain their approval. No Borough or Code Administrators permit is required.

Crystal Bolton asked if Mrs. Dietz had contacted Comcast regarding cable TV access to Council meetings. With no answer available, it was suggested that Mrs. Bolton could compose a letter to be approved by the Solicitor at the next meeting.

David Strine, owner of 111 Mulberry, is concerned about the area behind the dwelling that is a straight drop to the mobile home park, without fencing. He also is concerned about large trees that may damage the dwelling if they fell & wanted to know who owns that property. The Solicitor said that the Borough can't require an owner to install fencing without an ordinance. Mr. Tilley offered to research the ownership of easements in that area. Mr. Habecker requested a limit on the time spent & billed to the Borough, not to exceed \$500.

The minutes of the July meeting were approved, with the addition that Mayor Lindeman was present, by motion of Mr. Sipes, seconded by Mrs. McDonald. Motion passed unanimously. Mr. Groft thought Council had voted on sending the newsletter quarterly at the July meeting, but this was not confirmed.

STREETS – Mrs. McDonald reported that Mr. McKee now has a CDL. He said that the Front St. sidewalk & the line painting on Hellam St. projects have been completed. Crosswalks have been added & curbs painted as needed. Most overtime has been spent on the South Alley project. Mr. McKee will submit a written report at the next meeting. It was determined that storm inlet maintenance does not need Council approval. Mr. Klinedinst was asked to inspect the storm grates at 415 Hellam. In reference to fencing at the S. 2<sup>nd</sup> St. side of the mobile home park, if the Borough is responsible, Mr. Habecker suggested that the Borough work with the contractor assigned to fencing the sewer plant project. The issue will be discussed again at the Sept. meeting. Mr. Habecker suggested that Mr. McKee inspect new side-walk installation to verify that ordinance specs are met. Mr. McKee will be notified of those permit applications to arrange for inspections.

RECREATION – Mr. Sipes has been attending the board meetings. The concession income totaled \$1900. 2 signatures are required for all expenditures; a new refrigerator & volunteers are needed for the stands next season. Mrs. Young announced that Wrightsville Inn is selling meal tickets, \$3. of each to be donated to the Recreation Board. She volunteered Council to each sell 8 tickets; the money must be returned by 8/18, checks only, and tickets must be used by Sept., 2009. Mr. Sipes urged Council to attend board meetings to voice

concerns; the board wants public opinion in-put. Sign-ups for fall ball will be held at the Borough office on Sat. Collection of Moo Money Caps purchased at Wrightsville Turkey Hill will result in money back for recreation.

NEWS LETTER – increased income from the annual recycling grant is possible if the newsletter includes education about recycling, although Mrs. Young thought it may have to be a monthly issue. The Sept. issue was intended to provide information about Heritage Day, & the Borough's participation in Christmas at Rocky Ridge sponsorship needs to be advertised. Mr. Groft wants to verify that the Authority is splitting the cost with the Borough & requested that the issue of frequency of publication be tabled.

POLICE – Chief Pearson reminded everyone that Wrightsville's first participation in National Night Out will be held Tues. evening from 5 to 10 in the 300-block of Locust. He gave the July report of police activity. He verified that the problem of the improperly dressed man is being controlled. Complaints of speeding, especially in alleys were heard. Mr. Klinedinst said that speed bumps cannot be installed, but rather speed tables. Council recommended installing one in South Alley between 5<sup>th</sup> & 6<sup>th</sup> when improvements are completed by the Streets Dept. Mr. Habecker moved, Mrs. McDonald seconded, to approve the installation upon recommendation of the Engineer. Motion passed unanimously. Mr. Habecker suggested assigning a police officer at 6<sup>th</sup> & Locust between 6 & 7 PM to monitor speed. He wants to pursue a 25 MPH limit throughout town, but the cost of posts, signs & ordinances are of concern.

TREASURER – In the absence of the Treasurer, Mrs. Young reported that the intent to review bills before payment had not been done. Mr. Habecker moved, Mr. Sipes seconded, to approve the check register. Motion carried.

ENGINEER – Mr. Klinedinst reported that the application for the Safe Route to Schools grant in the amount of \$319,700. was prepared by his office & filed by the deadline. The purpose of the program was explained at the July meeting. The Engineer conducted a dangerous building inspection at the rear of 507 Hellam St. He did find the building in violation; the Borough office will notify the property owner according to the terms of the ordinance. A block grant application was filed to be included in the next 3-year YCPC program to fund ordinance up-dates in the amount of \$35,000. The Royal Farms HOP was returned again. PennDOT requires that the Borough apply for approval of a portion of the work to be done. The application was signed by Pres. Young. This will be submitted by C. S. Davidson, along with a letter of explanation.

A suggestion was made that Garden Ave. be made one way for speed control. The stop bar will be moved 4' from the edge of S. 6<sup>th</sup> @ Garden. Mr. Habecker noted that YCPC had conducted traffic studies relating to speed limits during the fall of 2007. Mr. McKee requested that the alleys be renamed "avenue" to allow them to be included in PennDOT mileage when improved to required widths. Mr. Habecker asked an approximate cost of the required ordinance. The Borough will provide the names of alleys along with the Ordinance #'s assigning the names to the Solicitor. Mrs. McDonald moved, Mr. Habecker seconded, to change names from "alley" to "avenue", with the out-dated signs removed & not replaced. Motion passed unanimously

SOLICITOR - Mr. Tilley introduced an ordinance to amend Part 1, of Chapter 21, S. 301 to remove the prohibition of washing a vehicle on the public street. Mr. Habecker moved, Mr. Groft seconded, to approve Ordinance #2008-2. Motion passed unanimously. Ordinance #2008-3 to prohibit the harboring of an animal nuisance as defined in the ordinance was unanimously adopted by motion of Mr. Groft, seconded by Mr. Sipes. Mr. Tilley said that such ordinance is typically enforced by the police department. Resolution #2008-13 to adopt a NIMS (National Incident Management System) as required by Homeland Security Directive-5 was

unanimously adopted by motion of Mr. Habecker, seconded by Mr. Sipes. Resolution #2008-14 was adopted by motion of Mr. Habecker, seconded by Mr. Kirkessner, to award a license to collect municipal waste by Wrightsville Borough Municipal Authority during 2008. (Such resolution & license had been adopted by Council 1/7/08), eliminating the need for Resolution #14).

PRESIDENT – Mrs. Young noted a 7/28 newspaper article reporting that another municipality had reduced the work week of certain employees to 4-10-hour days. She asked Council to consider this for the Streets Dept. only, to be discussed at a future meeting. Mr. Sipes moved, Mr. Habecker seconded, to amend the Employee Handbook with the following: Change hours of Borough Office from Wed., 9AM to 6PM, to Tues., 9 to 6; Streets Dept. will not be provided with uniforms, but with safety green tee-shirts; reporting to work late will be documented in 15-min. increments. Motion passed unanimously.

MAYOR – Mrs. Lindeman reported that the walk-arounds have been completed by Council members. The Engineer had inspected the structure at the rear of 507 Hellam & declared that it meets the standards of the Dangerous Building ordinance. The Borough office will notify the property owner that they must repair or remove the structure as worded in the ordinance.

Mr. Groft noted that the Streets Department is using purchase orders for purchases using the Authority credit card during the remainder of the year.

SENIOR CITIZENS – Mr. Sipes reported that an average of 15 seniors are attending the sessions daily; the group is very active. The Wrightsville Inn is donating 50 meals/day for delivery. Mrs. Young suggested contacting churches for donations for Wii games which have been popular.

RECREATION – The program needs a water heater at the lower concession stand. After discussion, Mr. Kirkessner said that the heater will be provided without Council involvement.

Mr. Yarnell was present to pursue the location of fencing on his property at the intersection of 6<sup>th</sup> & Garden. Mrs. McDonald thought that if the stop sign & bar are relocated, the fence can be approved. Mr. Klinedinst noted that the fence location was denied by Council, based on the Solicitor's opinion. The ordinance prohibits the location of a fence that would obstruct a clear sight triangle. Mr. Habecker said that the physical location of the clear sight triangle needs to be marked & that Council can't permit exceptions because that will set precedents. The Engineer will mark the triangle; the issue will be discussed at the next regular meeting.

Council recessed to an executive session at 9:55 PM. The meeting was resumed at 10:40 PM. Mr. Tilley noted the items discussed, including an employee raise, security of mail received by the office & police unionization. Mrs. McDonald moved, Mr. Kirkessner seconded, to approve a 3 ½% raise for Josh Groft. Motion passed unanimously, with Mr. Groft abstaining.

Mrs. McDonald moved to approve the return to employment after a medical leave by Officer Leaman. The motion died for lack of a second. Mr. Habecker moved, Mr. Groft seconded, to terminate the employment of Officer Leaman. Motion passed with Mrs. McDonald voting against. The Mayor will meet with the Chief to arrange notification of Mr. Leaman.

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A proposed raise for the Borough Secretary was again discussed. Mr. Habeker moved, Mr. Sipes seconded, to approve the Borough share of \$.50., with a limit of \$1.00 between the Borough & Authority. Mrs. Young intends to make the request for the Authority share at their next regular meeting. The motion was amended by Mr. Sipes, seconded by Mr. Kirkessner, to approve a raise of \$.50 with any contribution by the Authority to Mrs. Dietz's advantage. Motion passed unanimously.

The meeting was recessed for a second executive session at 10:49 PM. The meeting was resumed at 10:55 PM. Mr. Tilley said that an office staff concern was discussed. Mr. Groft moved, Mrs. McDonald seconded, to ratify President Young's decision to temporarily lay off Mrs. Dietz, effective 7/31/08. Motion passed unanimously.

The meeting was adjourned at 10:58 PM by unanimous motion.

Respectfully submitted,

Anne C. Knorr, Assistant Secretary