

WRIGHTSVILLE BOROUGH COUNCIL
MINUTES OF FEBRUARY 2, 2009 MEETING
COUNCIL MEETING ROOM

The regular meeting was called to order at 6:30 p.m. by President Young, who led the salute to the American flag. Also present were Council members M. McDonald, E. Sipes, T. Groft, N. Habecker, J. Cressler, Mayor Lindeman, Solicitor Tilley who arrived at 7:00 p.m., Engineer Klinedinst, Treasurer Brenner and Police Chief Pearson. The meeting was being recorded.

PATRONS:

Dave Whalen appeared as a prospective purchaser of a home on Lemon Street. The property is under contract contingent upon his ability to erect a carport and a garage. He was requesting a variance but after Mr. Habecker's review of his plans it was determined that a variance is not needed as he would be at least 10 feet from the property line. It was also mentioned that a variance can only be granted to the home owner. Mr. Habecker encouraged him to verify the property lines and also informed him that if he creates over 1000 square feet of impervious surface that his plans would need to be reviewed by the Borough engineer.

Sandy Waugh brought up Eric White and the sex machine that she presented information on at the last Council meeting and stated that it was her understanding that Council was already aware of this prior to her informing Council in January. Mrs. Young told her that she had, in fact, found out about this at Thanksgiving and that the Borough's solicitor said that his actions are not illegal. Sandy also mentioned that there are business trucks parked on Locust Street making it difficult to see. Mrs. Young stated that this may be addressed when an RV Ordinance or something similar is drafted.

Robin Geesey also stated that she had heard that all of the previous Council members knew about Eric White. She brought up the fact that in September it was discussed that only Mrs. Young and Mayor Lindeman would contact the solicitor but that according to the bill for November Mrs. McDonald continued to make calls. Mr. Habecker stated that he didn't think that was acted upon at that time. Mrs. McDonald informed her that technically council members can contact the solicitor. Mrs. Young informed her that it has been decided that communication to the solicitor will go through Mrs. Dietz, Borough Secretary.

COMPREHENSIVE PLAN UPDATE:

Mr. Sipes provided the results of the Selection Committee and recommended C.S. Davidson be appointed as the Engineer for the Comp. Plan update and Riverfront project. Mr. Habecker made a motion as such and Mr. Sipes seconded the motion. The motion passed unanimously. Mr. Sipes reminded Council that public meetings must be held and also informed the patrons that if rumors are heard about different things taking place to please contact him and he will dispel the rumors.

Pam Shellenberger spoke regarding the need for \$40,970 for the Comp. Plan update. She stated that \$20,000 would come from the LUPTAP Grant and that approximately \$15,000 can be applied for through the County Block Grant but that the Borough needs to have budgeted \$5,485 and reminded everyone that the application is due tomorrow. She stated that the funds could be spread over a two year period, if needed. She also mentioned \$39,225 that would be needed in April and that 50% of this would be from the Borough. She stated that there is not County allocation if the County money is applied to the Comp. Plan. She went back to discuss the Comp. Plan and stated that a resolution needs to be drawn up stating specifically where the funds are coming from and what amount. A motion was made by Mr. Habecker and seconded by Mr. Cressler to create a resolution to

further commit \$5,485 to the Comp. Plan in order to acquire LUPTAP funding which will be drawn from the Engineering line item of the 2009 budget. This vote passed unanimously. Mr. Brenner questioned when April rolls around will there be an unknown amount of money asked for. It was discussed between Mr. Klinedinst and Pam Shellenberger that they will work to find other potential sources. If the Borough would commit to this, that would be separate funding. It could be pushed to 2010 until DCNR funds are available.

MINUTES:

Mr. Sipes made a motion to approve the minutes with a few corrections. Mrs. McDonald seconded the motion and the motion passed unanimously.

REPORTS:

Fire – NONE

Streets – A streets report was given to Council. Bob McKee mentioned that he met with the Borough engineer and that they went through Wrightsville. Mr. McKee asked Council to look at Second Street between Willow and Lemon in an interest of widening that road. He also asked Council if the Streets Department could keep the F350 as it gives them an extra plow, if needed and it holds the box spreader. No one seemed to have a problem with keeping the truck. Mrs. McDonald asked which truck had the radiator replaced and Mr. McKee informed her that it was the Dodge. Mrs. McDonald, addressing Robin Geesey, stated that she heard that Robin has a problem with Mrs. McDonald calling Jason Livelsberger and Mrs. McDonald stated that she can call him anytime she wishes as he is under her. Robin feels that Mrs. McDonald should only call Jason's supervisor. It was mentioned that the gutters need cleaned and everyone was informed that if they see problems they should contact the Borough secretary.

Recreation – Mr. Sipes made a motion to appoint Roxanne Strine as a member of the Recreation Commission. Mrs. McDonald seconded the motion and it passed unanimously. He informed everyone that there would be a sub sale taking place from February 16th through March 4th with a pick-up date of March 11th.

President – Mrs. Young again informed Council and patrons that if interested in being on the Anniversary committee to see the Borough secretary. She also informed everyone that the Polar Plunge will take place this Saturday at the John Wright Restaurant and that 258 people are expected to participate. The Marines will be there and extra fire police, as well. This benefits the Special Olympics and they have more than adequate insurance and a permit was completed. Mrs. Young stated that she had met with Kristen from Comcast and State Representative, Keith Gillespie. Kristen agreed to check with her boss and felt that they should be able to get the Wrightsville Borough council meetings on a channel in the Borough. She let everyone know that getting channels is a give and take. Some channels are bundled together/owned by the same owners so in order to get one channel you may have to take 5 and if you lose a channel, you may lose 8 for example. Mrs. Young brought up a concern that the office was covered by Ben Kindig, an employee of the Authority, when Lorri went to lunch. Mr. Habecker said that the office is owned by the Authority and that this was done historically. She just felt like making Council aware. No action was taken. Mrs. Young asked Council if they wanted to address the parking complaints on 7th Street. It was determined that Mrs. Dietz would put some information regarding RV ordinances in other areas in Council's mailboxes for them to review. Mrs. Young had a letter from a gentleman named Mr. Young who was interested in subdividing his property and building an additional home there. Mr. Habecker stated that Mr. Young had spoke with Mr. Klinedinst who recommended he speak with Gordon Brown and Mr. Klinedinst stated he had given him ideas. According to Mr. Habecker, he seems to have a good handle on things. The compost ordinance was discussed. Mayor Lindeman feels it's vague. Mr. Tilley said that it could be the wording from the Solid Waste Management Act and rather than make changes now it was decided to let it go unless another complain comes in. Royal Farms was mentioned. Mr. Klinedinst

stated he had any discussions with them as of late and Mrs. Dietz informed Council that Fire Chief Smeltzer was discussing with Two Farms, Inc. the possibility of using the building for fire training prior to its demolition. Mrs. Dietz stated that she believed they were using it for training this weekend and possibly next.

Police – Chief Pearson read the police report and requested Council approve the wages for 2009 since they had been approved in the budget. Mr. Habecker made a motion to approve the wages. Mr. Sipes seconded the motion. Mr. Groft questioned what they had agreed to and was informed 3% across the board. It was discussed that reviews should take place prior to giving raises. Mrs. Young asked if reviews had been done and was informed that they had not been done yet. Mayor Lindeman stated she would sit in on the reviews. As Mr. Groft, Mrs. Young, Mrs. McDonald and Mr. Cressler were all opposed; the motion did not pass and will be put on next month's agenda.

Treasurer – Mr. Brenner informed Council that the auditors are scheduled to come on February 16th to start reviewing the Borough and the Municipal Authority's books. Smith Barney is coming either February 18th or 19th to review employee pension plans. Mr. Brenner went over his report/check register and explained that there will be a year-to-previous year comparison. He stated that the budget comparison for 2009 will be available after the auditor's review 2008. Mr. Sipes made a motion to approve the check register. Mrs. McDonald seconded the motion and the motion passed unanimously. Mr. Brenner informed Council that the Borough had failed to reappoint the auditors. Mrs. McDonald made a motion to reappoint Sager Swisher. Mr. Cressler seconded the motion and it passed unanimously. Mr. Brenner read a note he had received regarding a voice mail from Tom Zimmerman, Consulting Actuary with Conrad Siegel. Mr. Zimmerman expressed his concern regarding raising the retirement age as it was an unusual request, it was decreasing benefits and he also questioned unionization. A motion was made by Mr. Habecker to pass Ordinance 2009-1 and deal with the age at collective bargaining. This motion died for a lack of a second. Mr. Habecker feels it's a mute point that will be resolved during negotiations. Mr. Cressler feels that if it is not changed now, during negotiations the police officers will not be willing to change. It was decided that Mr. Brenner would contact Conrad Siegel and make the change to the age from 50 to 55 and also to remove Steve Rambler and add Dawn Lindeman as a representative.

Engineer – Mr. Klinedinst stated that John Wright Restaurant was requesting an extension per a letter they received. Mr. Habecker made a motion to grant their extension. Mr. Groft seconded the motion and it passed unanimously. Mr. Klinedinst stated there were only two items remaining. He also stated that he had attended a meeting regarding the bridge lighting project and informed Council that plans had been received that need to have utility locations marked. He stated that the Borough involvement in all this is minimal. He recommended a letter be sent to YCPC to request a traffic safety study be conducted at the intersection of 2nd Street, Hellam Street and the bridge opening. Mr. Habecker made a motion to send a letter. Mr. Sipes seconded the motion and it passed unanimously. Mr. Klinedinst feels that Claire Storm and Columbia Borough are trying to help us with this.

Solicitor – Mr. Tilley informed the patrons that he appeared at 7:00 at the request of Council. He brought up a letter that was received by Attorney Randy Hurst, an environmental attorney that discussed discharge limits and the Chesapeake Bay initiative and the request for a donation. No action was taken. Mr. Tilley reminded everyone of their need to turn in their Statements of Financial Interest. He also reminded that they are for 2008 and are for any elected or appointed official so if there is someone who is no longer an official but was in 2008; they needed to be mailed a form. Mrs. Dietz stated that she had given everyone their forms and mailed forms, as needed.

MISC:

Mrs. Young brought up a letter that she had received from Oakwood Homes that questioned whether the Borough would consider selling the piece of land they own at 701 S. Front Street. Mayor Lindeman questioned whether or not the deed had been changed to the Borough as the letter was addressed to the Municipal Authority. Mr. Groft questioned whether or not this property would have to be sold through sealed bids or public auction and questioned what it was worth. He was reminded that a market analysis had recently been done on the property and the property was expected to be marketable in the price range of \$40,000 to \$55,000. Mr. Groft mentioned his desire to not have mobile homes on the property and it was discussed that deed restrictions could be placed. Mr. Habecker wondered if the Borough could request bids for development. Mr. Tilley was unsure. Mr. Klinedinst stated that you can say you reserve the right to refuse any and all bids. After much discussion, a motion was made by Mr. Groft to put the property located at 701 S. Front Street up for bids with a deed restriction excluding manufactured homes and pre-fab homes. Mrs. Dietz questioned where and when she should advertise and for how long and would there be bid packages available for potential buyers to pick up. Mr. Sipes questioned whether or not the Borough would be willing to give variances. It was discussed to put a sign in the yard – For Sale by Owner. Since no one could really decide about advertising and marketing the property, the discussion was dropped and will be discussed at another time. A courtesy call will be placed to Oakwood Homes

Mayor Lindeman informed Council that John Shannon's term was expiring with the Civil Service Commission. Mr. Groft made a motion to reappoint John for another two years. Mr. Habecker seconded the motion and it passed unanimously.

Council entered an Executive Session at approximately 8:48 p.m. and reconvened at 10:07. At approximately 9:50, Mr. Groft stormed out and did not return.

Upon Council's return from Executive Session, Mr. Tilley announced that they had discussed the review process for the police, contract negotiations and collective bargaining; staffing the office with limited time how it was to be handled and the staffing needs for the Streets Department.

Mrs. McDonald made a motion to change Bonnie Dietz' hours to Monday, 9 a.m. to 11 a.m.; Tuesday, 1 p.m. to 6 p.m.; Wednesday, 11 a.m. to 1 p.m.; Thursday, 1 p.m. to 4 p.m. and Friday 12:30 p.m. to 2:30 p.m. Additional time will be given as able. Mr. Sipes seconded the motion and it passed unanimously. It was requested that these times be posted in the newsletter.

Health & Safety – Mr. Habecker read a resignation letter from Code Administrators. He stated that he had no idea why he was the Health & Safety chairperson or the U.C.C. representative as he feels he does not receive any support from the Mayor or council persons. Mr. Sipes and Mayor responded that they had never been asked for help. Mr. Habecker felt that decisions regarding getting proposals from another building code official had been a unilateral decision and informed everyone that Commonwealth Inspection Services had higher residential fees. Mr. Habecker went on to talk about the Emergency Management Plan and how he has been working on it. He mentioned that the boroughs and townships that he is trying to coordinate with are the same ones that Wrightsville deals with for Uniform Construction Code and feels Wrightsville is getting a black eye with them. Mayor Lindeman proposed going back to Code Administrators and requested Mr. Habecker try to resolve the outstanding issues. Mrs. McDonald brought up the on-going fence issue at the Yarnell's and mentioned that Mr. Habecker gave John Wright permissions to build on flood land and feels that this fence is just a little fence in an alley. Mayor switching the subject back to the Code Administrators requested Mr. Habecker seeing if he could iron things out and mentioned that she was willing to be there as support. Discussion was had regarding supporting each other and then at this point, Mr. Tilley requested that Council move on to relevant issues. Mr. Sipes made a motion to approve the Code Administrators contract contingent

upon Mr. Habecker contacting Code. In addition, his motion included Mr. Habecker contacting all of Council to let know Code Administrator's decision. Mrs. McDonald seconded the motion and the motion passed unanimously. Mr. Habecker stated that per FEMA we do not have an Emergency Management Coordinator. He said that things were coming together with the school district, Hellam Township and informed Council that Hellam Township was ordered to do a mock drill which will be monitored by PEMA and graded. Mr. Habecker will be assisting in the exercise.

Mr. Cressler mentioned that he had spoke with Gene Herchelroth regarding the Front Street water pipes and was told that they had to borrow ½ million dollars for the sewer plant but that this issue should be brought up at the Authority meeting. Per Bob McKee, the main does not need replaced. Mrs. McDonald stated that these pipes were 100 years old and made out of cast iron or something similar. Mr. McKee feels the main will last longer than new piping.

Senior Center – Mr. Sipes mentioned that AARP would be preparing taxes ad the senior center. He also stated they were holding a spaghetti dinner on February 28th and that there would be a fundraiser in March where they would be selling peanut butter and butter crème eggs.

Sharon Amato was given the opportunity to speak regarding the need for salt and paving behind her carriage house as cars bottom out. She also mentioned again that she feels it is Mr. Tilley's responsibility to keep council members on path and that there should not be leaks from the executive session. Mr. Tilley stated he was not aware of any violations of the Sunshine Law. Sharon went on to state that according to the budget the police department came in \$50,000 under budget and felt it was a disgrace that Council had not approved them to get new tires. Mrs. Young wanted to clarify that the reason for not getting tires was they were considering selling one of the police cars.

Mrs. McDonald made a motion to adjourn the meeting. Mr. Sipes seconded the motion and it was unanimously agreed to adjourn at 11:00 p.m.

Respectfully submitted,

Bonnie K. Dietz
Secretary