

WRIGHTSVILLE BOROUGH COUNCIL
MINUTES OF FEBRUARY 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 Council members L. Kirkessner, M. McDonald, E. Sipes, N. Habecker, Mayor Rambler as well as Solicitor Tilley, Engineer Klinedinst, Treasurer Brenner & Police Chief Pearson. The meeting was being recorded.

PATRONS: Crystal Bolton asked who was in the Borough Office after hours on Wed. eve. Mrs. McDonald answered that it was T. Groft, L. Kirkessner & herself to remove the personal belongings of the Mayor from his padlocked office; he had been notified to do so at the last Council meeting & by certified mail, but did not comply. Ms. Bolton thought that would be called breaking & entering, touching the personal belongings of an elected Mayor. She objected to removing him from his office space, making it difficult for him to actively participate in Borough matters. Ms. Bolton questioned the reason for looking into voting at large in the Borough; she thought the ward system provided equal representation. Ms. McDonald said that a willing candidate is not always available at election time in each ward. Ms. Bolton requested public input before change is made. Galen Shaud said that issues to be determined by Council often are not unique to a ward, especially in a small town; more qualified & interested people may be available with open voting; the good may outweigh the bad.

Robin Geesey made her 3rd request for information about who was in the police office in the middle of the night in Nov. She questioned why an appointment to the CSC had to be rushed in Dec. when, as of Friday, no meeting has been held. She thought the sewer plant project building permit amount credited to the Authority to reflect Boro residents should have been kept so that everybody's sewer rate would not have been increased. She said she is in favor of voting at large.

Tom O'Handly asked Council to say "no" to any request for an additional liquor license in town.

Ruth Myers informed Council that Wrightsville Inn is planning an anniversary party on 6/15/08; the business will hire their own security service & plan to donate to the Fire Co. & a cycle club with the proceeds. She asked Council to consider a variance to the revised Boro ordinance to once again allow open containers in their parking lot. Mr. Tilley will research a possible exception involving charitable contribution.

Steve Miller noted that the Boro has been in the news a lot, mostly for nit-picking the Mayor who was voted into office, so he must be voted out at the end of his term. He thought the Township police did a fine job, & now the Boro police are being criticized. When big decisions are made, the town should vote, not just Council. The town's reputation is discouraging business, which affects everybody's taxes.

Marlene Lawrence again asked dog owners to clean up their dirt & noted that cats are still running at large. Mrs. McDonald said she would deliver a cat trap for her use.

Albert Weisser asked if there is a job description for Bryan Rambler, who hired him & who controls him. Mrs. Young said that he is a Borough employee with a job description of part-time clerk. Mr. Weisser asked if it is legal for police officers to observe traffic with binoculars & noted an incident where he was cited instead of a vehicle in the vicinity that was in violation. He thought if the Police Chief is not getting back to people, Council should direct him to communicate better. The Chief said That there is no law prohibiting the use of binoculars by an officer.

Brandon Holtzinger made a 6th request for 24-hr. police coverage. The Mayor said that additional part-time officers would be needed to provide the service. Mr. Holtzinger wanted to know if no 24-hr. coverage, why so much money is budgeted for the department & why an officer is not allowed in the bank, while they can check the tanning salon. The Mayor said that the bank didn't want an officer in the building.

Anna Weirich again submitted a request that Bryan Rambler resign. Council needs to recognize public opinion & hold a public hearing when major decisions are made such as a Borough police department. She questioned the need to hire more part-time officers when Officer Leaman's hours were cut. The Mayor said that he was offered more hours by working 3-11 PM, but that wouldn't fit his full-time work schedule. Steve Myers agreed with Ms. Weirich that Council needs citizen input; police are needed in the evening & week-ends for good public relations.

Renee Fake informed Council that she & her husband want to apply for a liquor license (Fakey's already has a malt beverage license) to accompany their expanded food service. They have been in contact with LCB, but have not yet filed an application. Mr. Tilley said that Council would need a copy of the application to verify compliance with requirements & advised Council not to pre-judge before details are known. Ted Taylor, 114 N. 2nd St., asked that Borough residents be allowed input before Council makes any decisions.

Engineer – Mr. Klinedinst reported inspection of the property at 432 Hellam, Brenner Accounting, the owner proposing a rear parking lot of 1875 sq. ft. Because it is over 1,000 sq. ft. the storm water ordinance applies. He suggested the following options: the owner request a waiver of those requirements, connect to the storm sewer main in the alley by use of infiltration (not recommended because of the existing sink hole in the alley), & convey the water to the sewer pipe via an inlet (existing or new). Mr. Brenner was concerned that such installation may interfere with the GTE facilities under the surface. Mr. Klinedinst recommended allowing the water to flow overland to the alley to a new inlet. Donnie Hoffman, 430 Hellam, was concerned about the effect on his property. Mr. Brenner said that a survey revealed that one side of Mr. Hoffman's chain-link fence is located on 432 Hellam & must be moved to the property line. The lot would be paved up to concrete barriers that would be located near the fence line. Mr. Habecker noted 2 hardships, the business owner's need for off-street parking & the neighbor's concern about loss of value & enjoyment of his property. He said that if the Land Development Ordinance applies, screening could be required. Mr. Groft suggested that the problem be worked out by the 2 owners & addressed at the next Council meeting.

Fire – Chief Smeltzer gave the report of January activity. A total of 573 responses were made in 2007, 40% in the Borough & 60% in the Township. Two new junior firemen were accepted & one junior upgraded to senior status. The Chief described a traffic accident with injury at 9th & Hellam involving fire apparatus. A full investigation was conducted, showing compliance with standard operating guidelines. He proposed the installation of a pre-emption device to change the signal to green for the passage of Emergency vehicles. To cover the cost, he recommended approaching the school district & Waste Management for contributions. He offered his service to Health & Safety to proceed with the project. The Chief said that fire equipment is not able to access background check information. Eric White asked on behalf of his tenants the possibility of shutting off the siren at the firehouse. Mr. Smeltzer said the siren alerts traffic that fire equipment may be moving thru the intersection. He informed Council that those involved in accidents requiring fire company response out of the Borough are billed \$500./accident.

The minutes of the previous meeting were approved with the correction of Mr. Sipes' first name by motion of Mr. Sipes, seconded by Mrs. McDonald. Motion passed unanimously.

Police – Chief Pearson gave the report of January activity. Mrs. Young said she received a call from Chief Quickel, Hellam Twp., informing her that the Township will not pay overtime for their officers to attend hearings to back-up the arresting Borough officer, even if subpoenaed. Chief Pearson will talk to Chief Quickel about the issue. Mr. Groft asked how close the Borough department is getting to 24-7 coverage. Chief Pearson said that 10 hrs. at a time occasionally are not covered. Mrs. McDonald asked if the department has a pursuit policy. The Chief answered “yes”. She asked the reason for the out-of-town chase at 2:30 AM, 1/19; the Chief will give the details Tues. She objected to the officer leaving the Borough without coverage; the Chief said this would happen, for instance, in the case of DUI testing. She suggested that the Chief respond when questioned within 24 hours because of many complaints about Lack of response. Mrs. McDonald began a motion that one Council person review all cell phone calls, including police. Mr. Tilley explained that a balance is needed between confidentiality of investigative issues, which are generally not public, vrs. Council's responsibility to oversee expenses. He recommended appointing one Council person to have this oversight, such as the Chairman of the Health & Safety Committee, with any misuse reported to Council. Employees can be charged personal call expense. The motion should state that the person will have access to & review all bills each month for phones used by all Borough employees, with police records remaining confidential. Mrs. McDonald so moved & named President of Council to have that access. Mr. Groff seconded; motion passed unanimously. The Mayor disagreed, saying that Council was overstepping bounds that are exclusive to the Mayor. Mr. Sipes & Mr. Kirkessner objected to the Mayor's lack of trust in their ability to maintain confidentiality. Mr. Habecker said that he was aware of indiscretions in the use of phones in the past, but the issue has been addressed. Mr. Groft asked what happens if the Mayor refuses access; Mr. Tilley will help work out the problem. Mrs. McDonald moved, Mr. Sipes seconded, to install a time clock at the police department. The motion was withdrawn pending information about cost. Chief Pearson said that police schedules are not released by other departments. Mr. Groft asked what harm would come of releasing old schedules; the Borough just wants to determine coverage.

Treasurer – Mr. Brenner commented on his report of January finances. Baseball sign-up fees have been deposited in the Recreation Fund. Payment was made to WYS & Jake Graham as approved. The 2007 audit started today. Notice was received that a recycling grant has been approved by DEP, based on the tonnage of recycling material collected from Borough residents in 2007. He encouraged the public to continue this effort. Mr. Habecker noted 5 Streets employees on the payroll & questioned who is watching the budget. The Streets Committee will follow up. Mrs. McDonald moved, Mr. Kirkessner seconded, to approve the Treasurer's report. Motion passed unanimously.

Engineer – Mr. Klinedinst recommended that Council authorize the signing of the Highway Occupancy Permit for the opening of 10th St. at PA Rt 462. This would not involve financial obligation by the Boro. Mr. Sipes moved, Mrs. McDonald seconded, to approve the signing by Council President. Motion passed unanimously. In reference to the Walnut St. Project, Application for Payment No. 3 in the amount of \$82,900.54 to B&R Construction was approved by C. S. Davidson. After payment by YCPC of \$46,749.27, the amount of \$36,151.27, not covered by the block grant, is owed the contractor, leaving a retainage of \$3,937.50 for work to be done in the spring. Mr. Kirkessner moved, Mr. Sipes seconded, to pay the amount due the contractor, including \$25,000.00 budgeted in Liquid Fuels & \$11,151.27 from the General Fund. Motion passed unanimously. A request has been made to YCPC for additional funds; after project completion, application will be made for a \$10,000.00 reimbursement from County Liquid Fuels.

After the payment from the Borough Liquid Fuels the amount remaining in the fund has been budgeted for street lighting (\$20,000.00) & street project (\$25,000.00). Mr. Klinedinst verified that the contractor has not billed for project delays. The final black top can be paid from the next round of YCPC block grant funding (if approved), which has not been opened to accept proposals.

Solicitor – Mr. Tilley had no substantive report other than issues previously discussed in the meeting.

Health & Safety – Mr. Habecker cautioned Council about willingness to flip-flop on ordinances & programs, saying that decisions need to be consistent because ordinance changes are costly. He also noted that unvalidated accusations about Bryan Rambler invite liability issues. Mr. Habecker thought that any change in ward voting needs to be given time to receive input from Boro residents. Mr. Groft agreed that the issue needs to be published at least twice in a Boro newsletter. Reported to Mr. Habecker were private conversations by some Council involving change in police coverage. If factual, such conversations need to be reported to the entire Council. There was no UCC-related activity during the past month. Mrs. Young asked Mr. habecker for contact information re: employee health care.

Streets – Mrs. McDonald thanked Josh Groft for coming in on his day off for snow & sleet removal. She denied having private conversations about the police department. Mrs. McDonald noted several long distance phone calls made by the Mayor on 252-2768 (the office phone) that appear to be unrelated to Borough business. Mr. Habecker again reported that the stop sign at 3rd & Walnut needs to be relocated.

Mrs. Young reported receiving a copy of a letter from the Authority to the Donsco Plant Manager requesting information about sand dumping at the N. 3rd St. property, specifically DEP-regulated soil sample test results, who does the testing & how often it is done.

Personnel - Mrs. Young advised that there would be an executive session at the end of this meeting to discuss a personnel issue. She reported that she chose 8 resumes from those submitted for the position of Borough Secretary. Interviews of those 8 applicants will be held by the Committee on 2/7, starting at 6:00 PM.

Recreation – Mr. Kirkessner reported that Jake Graham signed the agreement that he would not purchase equipment without prior approval of the Board. Insurance coverage of the recreation fields (T-ball at the elementary school, baseball fields on S. Front & N. 4th Sts.) will be verified. Uniforms for the season were ordered by the Rec Board by vote at a cost of \$5,500.00. He presented a tentative budget for the Board. To be determined are the cost of insurance & income from concessions. The Mayor said that sponsorships have been sold but the income not yet received. Porta-potty rental has been budgeted to be paid by the General Fund. Mr. Brenner said that the recreation budget should be included in the General Fund Budget, the same as other Boro departments. Because 3 quotes had been secured for the uniform purchase & the lowest cost had been accepted, the Rec Board had complied with bidding requirements for purchases over \$4,000.00. The General Fund can pay for the uniforms to be reimbursed by the Recreation Fund when income is received. Mr. Tilley advised that a resolution is needed to approve the payment(s). Mr. Kirkessner thought the photocopy charge of \$.50 too high; he found that Columbia Boro charges \$.25. Mr. Brenner explained that \$.25 would cover the materials cost, but not an employee's time in filling a copy request. Mr. Kirkessner will calculate an actual cost.

Mayor – Mr. Rambler requested approval of police department raises which had been budgeted for 2008. Part-time officers would increase from \$13.00 to \$14.00/hr. Full-time salaries would increase from

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\$30,000.00 to \$35,000.00, with no raise for the Chief. Mr. Habecker asked verification that the rates are still below comperable departments. Mr. Sipes moved, Mr. Kirkessner seconded, to approve the raises. Motion passed unanimously. As provided by s. 1117 of the Borough Code, the Mayor submitted an invoice in the amount of \$2,500.00 for anticipated attorney fees in providing legal services for him because of Council's locking him out of his office. If re-admitted, he will withdraw the invoice. The dispute will be followed up by the Borough Solicitor

Authority – No report.

The meeting was adjourned at 10:15 PM by motion of Mr. Sipes, seconded by Mrs. McDonald. An executive session followed.

Respectfully submitted,

Anne C. Knorr, Secretary