

WRIGHTSVILLE BOROUGH COUNCIL
MINUTES OF THE JANUARY 7, 2008 MEETING
COUNCIL MEETING ROOM

Prior to the meeting, Mayor S. Rambler introduced new Council representatives and administered the oath of office to Larry Kirkessner, 1st Ward, James Sipes, 2nd Ward & Thomas Groft, 3rd Ward.

The reorganization meeting was convened at 7:00 PM by Mayor Rambler who led the salute to the American flag. Also present were Council persons S. Young, M. McDonald, N. Habecker, Solicitor W. Tilley, Engineer J. Klinedinst, Treasurer K. Brenner & Police Chief Pearson. The meeting was being recorded.

The Mayor read the letter of resignation by C. Jud, whose last day as Borough Secretary was 12/3/07, & explained that A. Knorr was asked to fill the position under a previous contract that had not been terminated.

The Solicitor explained that, according to the Borough Code (s. 1028), the Mayor is the executive branch with power to administer oaths, oversee the health & safety of the Borough, assure the keeping of public order & implement policy contained in Borough ordinances. Council, as the legislative body (s. 1005), has the power to appoint, control the budget, adopt policies, create ordinances & grant exceptions.

Reorganization: Council President – M. McDonald nominated S. Young. Mr. Sipes moved the nominations be closed. Voice vote resulted in 4 yeas, with Mrs. Young & Mr. Habecker abstaining. M. McDonald nominated L. Kirkessner as Vice President. Mr. Groft moved the nominations be closed. Voice vote resulted in 4 yeas with Mr. Groft & Mr. Habecker abstaining. Mrs. Young conducted the remainder of the meeting.

PATRONS: Anna Weirich asked if the complaints she had made at the last Council meeting about Officer Carpenter had been handled. Chief Pearson said that they had. She thought she should have been notified. The Chief said that personnel issues are not made public. She again requested that Bryan Rambler be dismissed as a police employee.

Tom O'Handly stated that the police handled a call at his house very well & asked assurance that the police department would remain in the Borough. Mrs. Young said that Council intends to continue the department.

Brandon Holtzinger asked if Officer Lehman is now allowed in the bank, because he should be. He asked when to expect 24-hour police coverage. The Chief said that he is still working on it.

Mrs. McDonald said that she doesn't intend to pay the bill for Solicitor service because her calls were in reference to the land transfer & not personal.

Marlene Lawrence complained about owners of dogs not cleaning up their feces, especially near the Catholic Cemetery. She also complained about cats running wild. Mrs. McDonald said she has traps if people want to use them, then Hemler can respond, but she has access to a farm to re-locate cats. A storm sewer at Hybla & Vine is reportedly being used by stray cats; concerns were noted about possible rabies problems.

Robin Geesey thanked Anne Knorr for filling in as Secretary. She pointed out that vehicle maintenance was not included in the police budget. With a cost of \$6,500. as of Nov., she thought the budget should be reviewed. She made a second request for information about who was in the police office the night of Nov. 8th, saying that the Chief needs to respond to questions by the public. She noted police talking to officers from other departments while in the cars. The Mayor said that this is common as a means of sharing information.

David Strine asked the amount of revenue created by the police department in 2007 as compared with 2006. The Mayor said he will get those amounts.

Craig Adams, WCA Equipment, asked why his bill had not been paid. The Secretary explained the delay & verified that payment would be made when the regular invoice payments are made.

Proceeding to additional reorganization, Mr. Groft moved, Mrs. McDonald seconded, to retain Stock & Leader as Solicitor. Mrs. McDonald moved, Mr. Groft seconded, to re-appoint C. S. Davidson, Inc. as Engineer. Mr. Kirkessner moved, Mr. Sipes seconded, to authorize the advertisement for Borough Secretary. Mrs. McDonald moved, Mr. Kirkessner seconded, to appoint Anne Knorr as Acting Secretary with the authority to sign Borough documents. Mr. Kirkessner moved, Mrs. McDonald seconded, to appoint Keith Brenner as Treasurer. All motions passed unanimously. Mr. Tilley explained that a Vacancy Board Chairman chairs a meeting of Council if that board does not fill a Council vacancy within 30 days. Mr. Habecker nominated Charles Robie to fill the position. Mrs. McDonald nominated Dawn Lindeman. Mr. Sipes moved the nominations be closed, seconded by Mr. Groft. Voice votes by Council found "no" votes for Mr. Robie, "yes" votes for Mrs. Lindeman.

The minutes of the December, 2007 meeting were discussed. Mrs. McDonald asked that her comment about C. Jud be deleted because she didn't intend it to be an official part of the meeting. Mr. Habecker objected to the change if it was said at the meeting. Mr. Tilley noted that new Councilmen should abstain from voting to approve the minutes because they were not in office in December. S. Young & M. McDonald voted to approve the correction, N. Habecker voted against. Mr. Habecker corrected the reference to Authority payment for a building permit for the sewer plant project. The correct amount paid was \$17,902.00. The Borough then refunded \$11,855.70 to the Authority to reflect a credit for Borough customers. Mrs. McDonald moved, Mr. Habecker seconded, to accept the minutes as corrected. Motion approved by Council.

Solicitor – Mr. Tilley presented an ordinance to levy a general property tax of 2.29mills & a fire tax of .30 mills. The ordinance had been advertised. Mr. Groft moved, Mrs. McDonald seconded, to adopt Ordinance No. 2008-1. Motion passed unanimously. Resolution No. 2008-1 amends the 2007 budget to reflect police department start-up costs budgeted in 2006 & not paid til 2007, adopted unanimously by motion of Mrs. Young seconded by Mrs. McDonald. Mr. Sipes moved, Mr. Kirkessner seconded, to authorize the signing of Resolution No. 2008-2 designating Code Administrators, Inc. to enforce UCC regs in the Borough, including the fee schedule for 2008. Motion passed unanimously.

Joe Simpson, represented Marcello's Pizza, requested a variance to the set-back lines to allow an addition at the rear of the building at 500 Hellam St. Mr. Habecker explained that a portion of the building now extends to the alley; the business wants to continue the building line to the west to house a freezer. A letter from the neighbor at 510 Hellam stated no objection. Mr. Klinedinst thought the encroachment would be no worse than at present. Mr. Habecker moved, Mr. Groft seconded, to approve the proposal as shown on the drawing, granting a variance from the 10' set-back to 5'6" at the west end & 8'4" on the north. Motion passed unanimously.

Police – Chief Pearson presented his report of December activity. Mr. Sipes reported that police protection is needed at the Hoak garage on Lime Kiln between Walnut & Cherry. The Chief said that patrols are made at that location, but recommended the owner install cameras to record incidents. Mr. Kirkessner asked if cars can be prohibited from parking in front of steps leading to a property. The Borough does not have such ordinance. Mrs. McDonald asked if Officer Lehman is allowed to visit banks again; the Chief said he will address the issue with the officer. She again asked that officers be scheduled at night when they are needed, noting 164 State Police calls at night in the Borough. The Chief said he would clarify that number. She asked the Chief to Please return messages. The Chief confirmed that departments from other municipalities will respond to calls In the Borough if requested by State Police.

Treasurer – Mr. Brenner reviewed his report of December financial activity. Mrs. McDonald moved, Mr. Sipes seconded, to accept the report. Motion passed unanimously. Mr. Brenner said that Council did a good job

in controlling costs in 2007. He thanked Lorri Harmer, Authority Secretary, for her help in handling Borough finances during this transition period.

Engineer – Mr. Klinedinst reported that a certificate of substantial completion was issued for the Walnut St. Project. A punch list was prepared for work to be done in the spring. He submitted Req. #9 to pay engineering fees of \$2,706.91, the balance of the engineering contract. Requisition #10 requests payment to the contractor of \$46,749.27, not the full payment due, but the remainder of grant funds. Both requisitions were signed by the President to be submitted to YCPC for payment. The Borough needs PennDOT approval of additional costs to apply for reimbursement of \$10,000.00 from County liquid fuels.

Royal Farms Land Development – the developer posted security for the public improvements & the plan was released for recording.

Shue fence issue – Mr. Habecker explained that he initially denied the construction proposal on the basis of the Borough fence ordinance. Mr. Klinedinst viewed the fence location at 501 Garden Ave., noting the ordinance limits fence height to 42” in a front yard, that in a clear sight triangle any fence which would obstruct the line of sight is limited to a height of 3’ above the street centerline, & that the existing fence is partial solid, partial chain link. His opinion was that a composite solid/chain link fence, the lower 36” solid, may be acceptable. Mr. Tilley is not comfortable with allowing any fence material within the clear site triangle because of potential future sight interference from vegetation & debris accumulating along the fence. He noted that the Borough is liable for the condition of roads & intersections in the event of an accident where parties allege poor visibility. Mr. Habecker requested a decision by Council if the property owner pursues the proposal to replace a fence; no building permit application has been received. Mr. Groft moved, Mr. Sipes seconded, to deny the variance. Motion passed unanimously.

Eric Thomas, LSC Design, explained that the Blessing subdivision, mainly in Hellam Twp., created 1 lot in Wrightsville Borough, the location of the new Susquehanna Dodge parking lot. The plan has been reviewed by YCPC & the Engineer. Mr. Klinedinst recommended approval with 4 remaining conditions:

The seal & dated signature of the Engineer or Surveyor must appear on the plan.

Lot 3 to be given access or added to other lands of Wisser LLC with a non-separation statement on the plan Statement of Ownership & approval of plan to be signed & notarized.

Planning modules or a non-building waiver must be approved.

Mr. Habecker moved, Mr. Sipes seconded, to approve the plan with the conditions. Motion passed unanimously. Hellam Twp. has the ultimate plan approval.

Mr. Klinedinst presented a Final Land Development Plan proposing redevelopment of “Rutter’s Farm Store” on one lot fronting on Cool Springs Rd. While the parcel is in Hellam Twp., a small portion of the frontage is in the Borough. Mr. Klinedinst recommended allowing Hellam Twp. to review the plan, noting that access requirements will be mandated by PennDOT. Mr. Sipes moved, Mrs. McDonald seconded, to waive review of the plan. Motion passed unanimously.

Mr. Klinedinst reminded Council that in Nov., 2007, Council approved the grading & stoning of an enlarged parking lot behind Susquehanna Dodge. The E & O Plan & Storm Water Plan had been approved. Enlargement & paving of that area required an approved land development plan. That plan, submitted after the paving had been done, has been reviewed by YCPC & C. S. Davidson. The Engineer recommended approval with 4 conditions: The Statement of Ownership & approval of the plan must be signed & notarized.

Planning modules or a non-building waiver must be approved by DEP.

The lighting plan must be approved.

The Blessing subdivision plan creating the lot must be approved by Hellam Township.

Mrs. McDonald moved, Mr. Kirkessner seconded, to approve the plan with the conditions, subject to Council approval of the lighting plan. Motion passed unanimously.

In reference to the request by Susquehanna Dodge to allow a 35' radius from the edge of travel lane on Rt. 462 to edge of cartway on 10th St., Mr. Klinedinst reminded Council that 10th St. would be part of future development & that he had recommended a collector street, not a minor street. The developer would pave the cartway to a 27' radius to the edge of the shoulder, which Mr. Klinedinst noted would not be a significant change to the intersection design. Mr. Kirkessner moved, Mrs. McDonald seconded, to approve the waiver of s. 506.C of the Land Dev. Ordinance. Motion passed unanimously.

Health & Safety – Mr. Habecker reported no scheduled COG meetings. As a result of interviews with 3 code-enforcement agencies, Code Administrators, Inc. was chosen because they suit Borough needs more closely. He noted a vacancy in the position of Emergency Management Coordinator, formerly Sue Graybill. The assistant, Chad Livelsberger, has been filling in & can be elevated to the top position. No responses had been received when the opening was advertised. Because Federal law requires that a person be appointed, he moved, Mr. Groft seconded, to appoint Chad as EMC for Wrightsville Borough. Motion passed unanimously. Mr. Habecker reminded Council that NIMS training is required of new Council persons.

Personnel – Mrs. Young reported that the agent has not responded with information about health insurance coverage for employees.

Mr. Habecker expressed concern about the dumping of soil & Donsco sand on the property at the end of 4th St. north of Vine. While information was given at the time of purchase by the Authority that ownership of the parcel would protect the watershed, it is questionable that the continual dumping is serving this purpose. Several in attendance at the meeting expressed similar concerns, as well as complained about debris left on streets by the dump trucks. Mr. Klinedinst said that DEP now approves fill containing quarry sand, but he suggested approaching the Municipal Authority to request results of soils tests because Council has the responsibility of protecting the health & welfare of the community.

Recreation – Mr. Rambler, in reference to the request that the Borough reimburse WYS for equipment being donated to the Rec Board, introduced Chris Leiphart to explain the issue. WYS had paid \$4 to \$5,000. for the equipment & asked to be reimbursed \$1,300. to be able to finance their oversight of the basketball program now that the Rec Board is taking over the other sports. Council questioned why payment should be made now when kids' sign-up money had originally been used for the purchases. Mr. Leiphart said that the sign-up charge doesn't nearly cover costs. Jake Graham had also purchased equipment with his own funds & asked to be reimbursed. The purchases had not been approved by WYS. After much discussion, Mr. Habecker moved, Mrs. McDonald seconded, that WYS be paid \$1,300. from the Recreation Board Fund. Motion passed unanimously. Mr. Brenner said that the Rec Board Fund is a Borough Fund, although it doesn't consist of tax money, but funds raised by volunteers. Mr. Strine said that all such money should be counted by 3 people appointed by the Rec Board. Mr. Leiphart said this might not be feasible because adults are not always available. Mrs. McDonald moved, Mr. Sipes seconded, to reimburse Jake Graham \$217.90 from the Rec Board Fund. Mr. Habecker amended the motion to require that Mr. Graham sign an agreement that future purchases be pre-approved by the Rec Board as suggested by Mr. Tilley. Motion passed with Mr. Habecker voting "no". Council requested that the Board provide a budget showing expected purchases for the season. A member of Council should sit on the Board.

Streets – Because a raise for Josh Groft has not been determined & is long overdue & a review had been done by Mr. Dixon & Mr. Pennell, Mrs. Young said that the issue will be settled tonight in executive session. Mr. Habecker reported that a stop sign needs to be re-located at the NE corner of 3rd & Walnut.

Mayor – Mr. Rambler shared information about the location of 2 markers in the Civil War signing project. Council requested agreement by the property owners involved. It was determined that one would be located on Commons property, owned by the Borough, & one in the 200-block on the north side of Hellam St. on the sidewalk in the PennDOT right-of-way. There will be no cost for the Borough, although Mr. Tilley questioned maintenance costs. Mr. Habecker moved, Mr. Kirkessner seconded, to approve the proposal, as long as the Borough does not have to maintain & PennDOT approves. Motion passed unanimously.

Authority – Mr. Tilley presented a resolution to grant a waste collection license to the WB Municipal Authority for 2008. Mr. Habecker moved, Mr. Kirkessner seconded, to adopt Resolution No. 2008-3. Motion passed unanimously. Mr. Rambler reported that Tim Kopp is no longer on the Authority because of moving out of town, & John Hake declined a re-appointment. Mr. Habecker noted that Greg Scritchfield had previously been nominated to fill a vacancy. Mrs. McDonald nominated Gene Herchelroth & Rick McDonald, both of which received majority “aye” votes, & therefore appointed to the Authority.

Senior Citizens- The Mayor reported that the group is looking for useful items to be donated for bingo prizes. Mrs. Young encouraged more citizen involvement in the Seniors’ activities & fund raising. Donations may be made to Trinity Lutheran Church

Mr. Tilley informed Council that the Borough Code allows a newly-elected Council to amend the budget by 2/15/08, although the budget can be modified at any time as long as the tax levy remains as adopted. The budget was not re-opened.

Mr. Sipes noted speeding traffic at 4th & Walnut & suggested a 4-way stop. Mr. Klinedinst said that a YCPC traffic study would be required before the signage could be approved. Mr. Sipes noted police sitting at the intersection. The Chief said they were monitoring traffic. He asked public cooperation in providing license numbers of violators to police for speed limit enforcement.

Mrs. McDonald asked for a copy of the police schedule to be put in her mailbox. She said the Fire Co. wants to share the conference room space at 125 S. 2nd, but it needs to be re-keyed. The Mayor responded that an office was provided for the Fire Co.

Mrs. McDonald asked Mr. Tilley to explain voting-at-large for Borough offices, eliminating wards. If requested by Council, the Solicitor files a petition with the Court of Common Pleas to direct an independent commission to hold a hearing & make a recommendation to the Court. If the Court issues a decree, a 7 member Council would result.

Mrs. McDonald asked the Mayor to move his office to the police station. Mr. Habecker cautioned that any abrupt changes should be delayed because of other major changes going on at this time. Mrs. McDonald moved, Mr. Kirkessner seconded, to approve Council’s take-over of the Mayor’s office. Motion passed with Mr. Habecker voting “no”. Mrs. McDonald said that the Mayor should not have the Borough’s credit card.

Council called for an executive session at 10:33 PM to discuss a personnel issue.

The meeting was again called to order at 11:14 PM. Mr. Habecker moved, Mrs. McDonald seconded, to grant a 2.75% increase to Josh Groft, retroactive to his anniversary date. Motion passed with Mr. Groft abstaining. The meeting was adjourned at 11:16 PM by motion of Mr. Sipes, seconded by Mr. Kirkessner.

Respectfully submitted,