

NEW FREEDOM BOROUGH COUNCIL MEETING  
June 13, 2005

Meeting Called to order by President Terrell at 1900 hours, with the following members present:

J. Blum - Vice President  
D. Sarpen - Councilman  
W. Burgess - Councilman  
G. Andrews - Councilman  
C. Herrmann - Councilman  
W. Cerkan - Councilman  
J. Joy - Mayor  
P. Gross - Engineer  
S. Hovis - Solicitor  
T.L. Crawford - Administrator

Also present: Officer Smuck and others (see list).

**Announcements:** President Terrell reminded Council members of the following events: 2005 Lions Club Carnival will run 7/4 – 7/9, New Freedom Parade 7/9 at 1630 hrs., Rose Fire Co. Auto Show will be held 8/27 and PLCM annual convention at the Yorktowne Hotel 6/26 – 6/29, 2005.

**Disbursements:**

General - \$ 52,533.96 Motion by J. Blum, seconded by D. Sarpen to approve. Motion carried.  
Water - \$ 13,470.39 Motion by D. Sarpen, seconded by J. Blum to approve. Motion carried.  
Sewer - \$ 32,426.26 Motion by D. Sarpen, seconded by J. Blum to approve. Motion carried.  
Rec. - \$ 12,615.88 Motion by J. Blum, seconded by D. Sarpen to approve. Motion carried.  
Com. Ctr. - \$ 4,727.4895 Motion by C. Herrmann, seconded by J. Blum to approve. Motion carried.

**Minutes:**

Motion by J. Blum, seconded by W. Cerkan to approve May 9, 2005 minutes. Motion carried.

**Reports:**

Mayor – Mayor Joy read the emergency services report for May 05, and noted a part time employee was hired to replace J. Goodfellow.

SYCRPC – D. Sarpen advised the Commission is spending \$ 1000. to update their web sit. D. Sarpen also noted the majority of the problems facing the Chesapeake Bay begin with farmers.

Police – W. Cerkan noted the dept. has purchased a new copier. The department is recommending joining the South Central Task Force. Chief Childs is writing grants for a motorcycle and crime scene equipment. W. Cerkan noted the department was involved in 2 pursuits this past month. Officer Smuck was present to answer any questions police related. He explained some recent vandalism incidents including egging vehicles, breaking vehicle windows etc. Officer Smuck also advised the dept. has a zero tolerance policy with skating boarding. J. Blum noted the recent vandalism at Veterans Park . Officer Smuck advised all vandalism cases are being worked on, but the public input is invaluable. He requested when something is witnessed out of the ordinary , residents call 911.

Solicitor – S. Hovis advised he is waiting for a response from Shrewsbury Twp. Solicitor as a result of the joint meeting. He noted he has made several attempts concerning EDU status and breakdown but nothing has been received from the Twp. in writing as of today. The EDU's and planning modules for Phil Robinson and Ryan Homes will be signed since they can be accounted for and will be attributed to Shrewsbury Borough.

Parade – W. Cerkan noted he has received approximately \$ 800. in donations and entries are still coming in.

**BUSINESS:**

Koller Point Preliminary Plan – Mel Childo from B&L Engineering was present to review the plan. All previous comments from Buchart Horn were reviewed, P., Gross commented all items have been addressed to Buchart Horns satisfaction. P. Gross requested an informal meeting be scheduled to further discuss the water tank issue. M. Childo advised his client is aware of the significance of the water tank location is willing to work with the Borough in all aspects of the project. He also thanked the office staff for working with him through this difficult plan. A waiver was requested for Section # 6.13 (60 ft ROW) for 2 locations at corners, that 55 ft. be accepted. It was noted this would not impact any utilities. Motion by J. Blum, seconded by W. Cerkan to grant the waiver from # 6.13 as requested. Motion carried. Motion by J. Blum, seconded by G. Andrews to approve the preliminary plan with the condition that the final plan can not be approved to the water tank issue is agreed upon. Motion carried. Motion carried.

J. Kardos SLDO Exemption Request – J. Kardos explained he owns the building on Constitution Ave. that houses the eye Dr. and eyewear store. He requests to build a roof over the front porch/walk area, and according to the SLDO ANY improvement require a full scale land development plan. Codes Officer/Building Inspector recommends a waiver be given for a land development plan, and the applicant work with the Inspector on obtaining a permit and meeting all building codes. Motion by W. Cerkan, seconded by J. Blum to grant the waiver from the SLDO as requested noting the applicant must meet all criteria established by the Inspector. Motion carried.

**CITIZENS FORUM:**

Trinity United Methodist Church – The church requested Franklin St. from Front to 2<sup>nd</sup> St. be closed for a church fun raiser for 1 afternoon. Council advised that the Borough does not provide signs nor man power to close roads. T.L. Crawford also advised that Franklin St. connects to a Penn Dot road subsequently Penn Dot must be notified. Council advised the church must be responsible for all signage, parking and notifications. Motion by J. Blum, seconded by W. Burgess to permit the road to be closed as requested noting all aforementioned criteria be met. Motion carried.

Jackie Badders Request – J. Badders was present to request Council permit a stone structure (mailbox) be placed in the street ROW over the water main. J. Badders explained in length that the mailbox was approved by the HOA Assoc. and she was unaware of regulations concerning Row's. The codes Officer came upon the construction during inspection on another property in the area. Council explained the problems with any structures in the ROW, noting the Borough follows all Penn Dot guidelines prohibiting Such structures, with the exception of approved mailboxes and street signs. J. Badders noted there are 2 other such structures in the Borough, and believes hers should be approved based on this fact. J. Badders also complained that she was given inaccurate information by 2 Borough employees. Solicitor Hovis advised her he spoke with her concerning this in detail, and explained the regulations as well as the Commonwealth laws. Council discussed this issue with J. Badders in an extensive conversation exceeding 30 minutes. Motion by W. Burgess to allow the mailbox with the property owner signing a liability waiver that is recorded against the deed, and would carry with the property holding the Borough harmless & obligating any and all costs and damages to the property owner, including any excavation of the water line. Motion failed with lack of a second. Request was denied. F. Rayne HOA President also discussed these type of regulations, noting he will attend more meeting to stay abreast of Borough issues. Solicitor Hovis advised F. Rayne that HOA documents are a civil matter and not Borough nor Commonwealth law.

New Freedom Heritage – The group requested Railroad Ave. be closed for a special event. Council reviewed the same regulations as with the church request, noting signage, notification etc. Motion by J. Blum, seconded by W. Burgess to grant the request contingent upon all criteria of signage, parking, notifications & Penn Dot notification be done. Motion carried.

**OTHER:**

Solicitor Hovis provided Council with a draft of the Ordinance Amendment necessary to issue permits for fences, pools etc. structures not covered by the UCC. The Ordinance will be advertised for next month. Motion by J. Blum, seconded by D. Sarpem to advertise the amendment. Motion carried.

Masimore Road – President Terrell advised Council he was contacted by Shrewsbury Twp. Engineer Jason Snyder concerning Masimore Road. The Twp. Is willing to work with the Borough on ownership and maintenance of the road. Solicitor Hovis will research the issue and report back next month.

**Adjournment:**

Motion by G. Andrews, seconded by J. Blum to adjourn . Motion carried.