

NEW FREEDOM BOROUGH COUNCIL MEETING January 9, 2006

Meeting called to order by President Terrell at 1900 hrs. Present were:

J. Blum – Vice President
D. Sarpen – Councilman
W. Burgess - Councilman
C. Herrmann – Councilman
W. Cerkan – Councilman
J. Joy - Mayor
T.L. Crawford -Borough Secretary
S. Hovis - Solicitor

Also Present: (see attached list).

ANNOUNCEMENTS:

President Terrell noted the change in trash collection rules. One large item may be placed curbside on Friday mornings. There will not be a large item pick up in the fall.

DISBURSEMENTS:

GEN (001): Total \$ 99,336.34 Motion by J. Blum, seconded by D. Sarpen to approve. Motion carried.

WAT (006): Total \$ 40,169.62 Motion by D. Sarpen, seconded by W. Burgess to approve. Motion carried.

SEW (008): Total \$ 647,213.81 Motion by W. Burgess, seconded by D. Sarpen to approve. Motion carried.

REC (009): Total \$ 6,762.20 Motion by W. Blum, seconded by D. Sarpen to approve. Motion carried.

CC (099): Total \$ 1,506.42 Motion by C. Herrmann, seconded by J. Blum to approve. Motion carried.

MINUTES:

Motion by J. Blum, seconded by W. Cerkan to approve the minutes of 1/3/06. Motion carried.

REPORTS:

Mayor – Mayor Joy read the emergency services reports for Dec. Mayor Joy noted the Police Commission would be holding a continuation meeting on 2/15/06.

Sewer – D. Sarpen noted that House Resolution #539 concerning wastewater treatment permit polices and regulations will not have much impact on DEP's actions. The Governor is the only authority to regulate or force an action on DEP, unless the Resolution becomes law. D. Sarpen will continue to follow this issue.

Comm. Ctr. – C. Herrmann questioned if the repairs to the wall are complete. T.L. Crawford advised they are complete as far as weather is concern. The project will be finished in the spring where is less chance of a freeze. B. Terrell noted the office is contacting someone about the roof and gutters. The foreman from Kinsley noticed the gutters are clogged, and water is running down on the inside of other walls. He advised this should be addressed prior to any other major repairs being needed.

Parade – W. Cerkan advised the parade would be 7/8/06.

Police – W. Burgess submitted a written report. He also discussed the dept. joining the South Central Terrorism Task Force. He explained the concept, noting this task force could be utilized for disasters also. J. Joy also explained this is similar to the fire and EMS task forces that have been formed since 911. Council discussed the desire for more information on the polices and protocol of the force. W. Cerkan noted this is now in the concept stage, as it progresses Council will be kept informed. S. Hovis noted some concerns about workers compensation insurance and liability insurance. Motion by W. Cerkan, seconded by J. Blum to tentatively approve the membership for Southern Regional Police pursuant to Councils review of polices and procedures. Motion carried.

Solicitor – S. Hovis noted Stock & Leader is hosting a seminar for newly elected municipal officials on 1/25/06 at 1800 hrs. Any officials interested in attending can contact Stock & Leader.

BUSINESS:

Municipal Emergency Operations Plan Update – Mayor Joy explained this is a routine plan review that he performed to insure the Borough has a current plan to be submitted to the County and PEMA Motion by W. Cerkan, seconded by J. Blum to approve the updated plan. Motion carried

Shendel Land Development Plan – Mike Knotwell was present to review the plan. President Terrell noted the PC gave approval contingent upon 7 items being addressed. The plan is to lease a plot of land 75x75 feet from the Business Park on High ST. The site will be used for a 190 ft. cell phone tower. S. Hovis questioned if they had performed a co-location study as noted in the ZO. M. Knotwell advised they have looked at other locations and do not believe they would gain the reception at another location. President Terrell inquired if they have looked at the “Cemetery” water tank since there is a paging antenna already on it. M. Knotwell stated he did not, but will consider it. J. Blum questioned if the studies and subsequent data was available for review since nothing had been given to Council. M. Knotwell stated an associate would answer these questions here tonight. Council reminded M. Knotwell the PC and the ZO stated studies, not a lecture. Dave Cox inquired about the studies since they were not available at the PC meeting, yet other cell phone companies are able to provide this data. Steve Culhane also expressed his dissatisfaction in the lack of preparation and reports that were to be submitted to Council for review. Phil Olphin of Country Manor questioned if other antennas would be placed on this structure, noting it could impact property values. Gary Britton inquired if the company has other towers that are close to residential areas. M. Knotwell stated most are in agricultural areas. President Terrell reminded the citizens this property has been zoned LI since 1972, and at that time the area surrounding it was agricultural. this was prior to their houses being built. Patty Price questioned insurance and liability issues. S. Hovis advised that is a private matter same as her homeowners insurance. The Borough cannot regulate a private property owner’s liability exposure. M. Knotwell advised the company would provide a bond for removal if the service ceases. The public and Council commented and questioned for over an hour. President Terrell advised M. Knotwell the conditions have not been met, and the 90-day time frame is near. The only option is denial unless they request an extension. M. Knotwell requested a time extension verbally, and will follow up with a written request. Motion by J. Blum, seconded by W. Cerkan to grant the time extension and table the plan until the conditions are met. Motion carried.

CITIZENS FORUM:

None

ADJOURNMENT:

Motion by W. Burgess, seconded by W. Cerkan to adjourn at 2051 hrs. Motion carried