

NEW FREEDOM BOROUGH COUNCIL MEETING
April 13, 2009

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

D. Sarpen – Councilman
E. Paules – Councilman
G. Andrews – Councilman
E. Molinsky – Councilman
W. Cerkan - Councilman
J. Joy – Mayor
T.L. Crawford -Borough Administrator
S. Hovis- Solicitor

Also Present: (see attached list).

ANNOUNCEMENTS:

President Terrell reminded Council of the following upcoming events: Walk/Ride the Trail on 4/25/09 at the train station, EMA training for Public Officials on 4/30/09 and YCP 50th Anniversary on 5/13/09.

DISBURSEMENTS:

General \$ 80,015.19 – Motion by E. Paules, seconded by D. Sarpen to approve. Motion carried.
Water \$ 53,861.36 – Motion by D. Sarpen, seconded by E. Molinsky to approve. Motion carried.
Sewer \$ 67,482.35 – Motion by D. Sarpen, seconded by E. Paules to approve. Motion carried
Rec. \$ 887.97 – Motion by E. Molinsky, seconded by D. Sarpen to approve. Motion carried.
Comm. Ctr. \$ 5,442.46 – Motion by E. Molinsky, seconded by E. Paules to approve. Motion carried.

MINUTES:

Motion by E. Paules, seconded by D. Sarpen to approve the meeting minutes of 3/2/08. Motion carried.

REPORTS:

Mayor – Mayor Joy read the emergency services report for March. He also noted previously Council has requested more budget and financial information for SRPC. He will provide the office with a copy of the monthly report he is given by SRPC to be distributed. Motion by E. Paules, seconded by D. Sarpen to request the SRPC monthly financial reports be submitted to Council. Motion carried. He also explained YCC wants to change the dispatch protocol for unknown injury vehicle accidents. He explained the problems it creates in bad weather. The fire Chief and EMA Joy are in agreement with the change. Motion by E. Molinsky, seconded by W. Cerkan to support the recommendation of emergency personnel and change the YCC protocol for non-injury accidents. Motion carried. Mayor Joy requested Council appoint John Fornadel from Shrewsbury as Deputy EMA for the Borough, based on his experience as Fire Chief. Motion by E. Molinsky, seconded by E. Paules to appoint John Fornadel as NF Deputy EMA Director. Motion carried. Mayor Joy advised a candidates night will be held at the library on 4/22/09 for the individuals campaigning for York County Judge. Mayor Joy requested Centennial Ave. be changed to Fry Ave. to honor Wilbur Fry. He explained Wilbur Fry has been a lifetime resident and volunteer in the community. Council discussed changing the name to Fry Ave., noting there are numerous Fry Aves. in York County. Motion by W. Cerkan, seconded by E. Paules to change the name from Centennial Ave. to Wilbur Fry Ave. Motion carried.

Police - Chief Childs alerted the Council to the increasing amount of graffiti being seen in the area, and the gang type activity. Chief Childs explained the spring weather is the time for home improvement projects, and home remodeling scammers. He reminded residents always get written quotes, check with the Business Bureau and the municipal office, and do not pay for any service in advance. He also reminded residents if they have a "too good to be true" price, it probably is a scam. He also advised Council they have increased patrols around school bus stops.

Water – D. Sarpen advised the report for the Enviroscan should be forth coming concerning possible new wells. He also noted there are some upcoming changes in the rules for ground water, which become effective Oct. 2010. He noted some employees of the water dept. have already taken the necessary classes for the regulations. D. Sarpen also requested the office research the grant and funding opportunities for renewable energy sources for municipalities. E. Paules noted he read an article in PLCM concerning cost effectiveness and street lights. He will be contacting them for more information on the program. E. Molinsky questioned the status of the pedestrian signs on Main St. President Terrell explained the problem with the installation of the signs would require curb cuts to create federal ADA compliance. He noted it would be very costly to fix the curbs for the signs to be installed, and would not be a priority at this time. E. Molinsky commended J. Smith on the WWTP report, and noted the good job being done by the staff at the plant.

Road – T.L. Crawford distributed the 2009 street project list. The projects are selected from the road maintenance reports and inspection by the road engineer. The bids will be open at the May meeting. E. Paules will be meeting with the road crew to review the condition of various streets and alleys in the Borough.

Rec. – E. Molinsky advised the Rec. Council did not have a quorum to hold an official meeting, but held a work session. D. Royer noted the winter tennis was successful; however the schedule for next may change to allow individuals to participate in other types of sports. D. Royer distributed a handout of possible programs the group is considering.

Parade – W. Cerkan advised the registration forms for 2009 have been mailed. He also explained the Borough will be purchasing the flags for 09 since the former flag sponsor has withdrawn this year.

Solicitor – S. Hovis provided Council a brief overview of recent Court decisions on Open Records, noting the Courts have broaden the scope to include the majority of all types of records in the municipal field.

PUBLIC COMMENT:

Wayne Rorhbaugh – a new resident of Kohler Point was present to express his dissatisfaction with the Zoning Ordinance and placement of fences. Council advised him the Ordinance has been in place for several years, and the zoning officer must adhere to the Ordinance, and Council can not waive the ZO. Council advised W. Rorhbaugh to apply for a variance before the ZHB, noting a variance is based on a hardship, not a preference or disagreement with an Ordinance.

BUSINESS:

Boy Scout Request – President Terrell read the request from Greg Senft. He is requesting Council waive the Ordinances prohibiting open fires and fires in public parks. G. Senft requests to hold a Boy Scout meeting at Ernst Park and have a camp fire for the event. Council noted in 2008 they did waive the Ordinances and permitted the Scout meeting to be held at Goodfellow Park with a camp fire. Council discussed the risks with a fire in a wooded area. Members from the Rec. Council and EMA Director opposed the idea, noting the increased risk in a wooded area. Motion by E. Molinsky, seconded by E. Paules to deny the request, noting the group may use Goodfellow Park and have a campfire as in 2008. Motion carried.

Summer Glen HOA Request – President Terrell read the request to utilize the lot at the Community Center for pony rides during their rental of the facility. Council discussed the various concerns of liability, fire dept. activity, alleys exiting the lot, debris from the ponies etc. Solicitor Hovis also noted a certificate of insurance should be required, naming the Borough as additional insured. Motion by E. Molinsky, seconded by D. Sarpen to permit the stone lot to the rear to be used, with the lot be roped off, Borough named as additional insured and a \$ 100. cleaning deposit for the lot be paid. Motion carried.

UCC Appeals Board – Motion by E. Paules, seconded by D. Sarpen to appoint Mike Royer to the NF UCC Appeals Board. Motion carried.

Mid Atlantic Biosolids Assoc. - D. Sarpen explained the purpose of the group is to provide factual and educational information on biosolids. This group's intent is to provide an opposing view to the coalition groups protesting biosolids without scientific data to support their claims. D. Sarpen recommended the Borough give a donation to join the assoc. Council discussed the group's purpose, and E. Paules recommended the donation be consistent with donations given to local groups. Motion by E. Molinsky, seconded by D. Sarpen to join the assoc. and donate \$ 1000. Motion carried.

Resolution 2009-1 (UCC Appeals & ZHB Fee) - President Terrell read the Resolution establishing the fees for the hearings at \$ 500. Motion by D. Sarpen, seconded by G. Andrews to adopt Resolution 2009-1 as presented. Motion carried.

SYC Lease – President Terrell noted the lease for SYC needs to be adopted and the fee proposed is \$ 25.00 per month. The lease would run on an annual basis for the building. Motion by D. Sarpen, seconded by E. Paules to send the lease to SYC at a monthly fee of \$ 25.00. Motion carried.

ZO Amendments – E. Paules discussed the proposed ZO amendments, and the need to move towards adoption. T.L. Crawford advised of the need to the remove the flood plain requirements from the ZO as recommended by DCED, and create a stand alone flood plain Ordinance. The information has been forwarded to Buchart Horn to review for FEMA compliance T. Ruby reviewed some of the minor changes in the amendments such as solar panels, windmills etc. Motion by E. Paules, seconded by D. Sarpen to forward the amendments to YCP for review. Motion carried.

EXECUTIVE SESSION:

Council convened to executive session at 2112 hrs. for a personnel issue and litigation. Council reconvened to their regular meeting at 2127 hrs.

Motion by D. Sarpen, seconded by W. Cerkan to have the Solicitor respond to the individual concerning the personnel matter. Motion carried.

ADJOURNMENT:

Motion by D. Sarpen, seconded by W. Gerkan to adjourn at 2138 hrs. Motion carried