

NEW FREEDOM BOROUGH COUNCIL MEETING
April 11, 2011

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

E. Myers – Council member
D. Sarpen – Council Member
E. Paules – Council Member
E. Molinsky – Council Member
G. Andrews – Council Member
J. Joy – Mayor
S. Hovis – Solicitor
T.L. Crawford – Administrator

Other present: see attached

CALL TO ORDER

DISBURSEMENTS:

General \$ 76,642.97. Motion by D. Sarpen, seconded by E. Myers to approve. Motion carried.
Water \$ 37,506.55. Motion by D. Sarpen seconded by E. Myers to approve, Motion carried.
Sewer \$ 46,071.38. Motion by E. Paules seconded by E. Molinsky. Motion carried.
Recreation \$ 663.00. Motion by E. Molinsky seconded by E. Myers. Motion carried.
Comm. Ctr. \$ 6,407.77. Motion by E. Molinsky seconded by E. Paules. Motion carried.

MINUTES: (March 14, 2011)

Motion by E. Paules by E. Myers to approve as presented. Motion carried.

REPORTS:

Mayor:

Mayor Joy read the fire and ambulance report, did not have the police report. He advised the police will be hosting a “drug take back” event at the Community Center on 4/30/11. They are working with various agencies and volunteer groups to make it an educational and fun event. The Rose Fire Co. will also be doing a chicken bar-b-que at the same time. He also advised a “letter of intent” was received from Loganville Borough concerning police services. Representatives from the SRPC and the department met with Loganville representatives and provided information on services. Mayor Joy advised the SRPC will wait and see if Loganville reports back or contacts the department for more information.

Police:

No officer present

Solicitor:

S. Hovis advised Council modifications were made as requested to Resolution 2011-1. S. Hovis reviewed the Resolution which affirms and states the duties, responsibilities and scope of authority for Council members with respect to dealing with employees. Motion by E. Paules, seconded by E. Myers to approve Resolution 2011-1 as written. Motion passed with E. Molinsky voting opposed. Motion carried.

D. Sarpen noted the new pump has been installed on well #1, and the water dept. is working with Buchart Horn to adjust the pressure. The new control valve will be installed at the Snyder

Tank next week. He also noted the residual chlorine analyzers are functioning. D. Sarpen advised Council he has sent several articles to them in the past month noting possible concerns over hexavalent chromium in tap water. He explained EPA is working on establishing a guideline and testing criteria. E. Myers noted it may be beneficial for the Borough to test in the near future, as opposed to waiting for EPA. Council requests an estimate from LABS, the Boroughs testing facility on testing for hexavalent chromium 6 at all five entry points.

Planning Commission:

E. Myers reported the PC recommended approval of the requested variance for the proposed tavern on Franklin St. He noted the Zoning Hearing is next week.

Tax Collection Committee:

E. Molinsky advised the York and Adams County committees will be working together. The estimated date for the partnership is January 1, 2012.

Parade:

E. Molinsky reported the invitations have been mailed to the groups that participated in the 2010 parade.

Recreation:

M. Halapin advised the Farmers Market program will begin in May. She reviewed upcoming events to include, a 5K run, egg hunt, campout etc. She requested Council authorize the contract with the Kelly-Miller Circus for June 1, 2011. The circus will be held on Goodfellow Park, with a show at 4:30pm and 7:30pm. She explained the Rec. Council met with a representative from the circus at their meeting. The program highlights were reviewed, noting the Borough must provide a water source and (2) 4-yard dumpsters. It was noted there will need to be another port-a-pot placed on the park property. S. Hovis requested a few minor changes to the contract to include a "hold harmless" agreement and the Borough named as additional insured. Motion by E. Molinsky, seconded by E. Paules to authorize the signing of the contract for the Kelly-Miller Circus, contingent upon the addendum to the contract to include a "hold harmless" agreement and additional insured is named. Motion carried. S. Hovis advised the police should be consulted, noting if their presence is needed it could result in overtime which would impact police costs to the Borough.

Web Site:

E. Paules advised the new site is functioning and can be maintained, without special software from the Borough office.

Police Research Committee:

E. Paules advised the committee met with members of the SRPC and the Borough Mayors and Presidents to review the issues of concern. He reported the meeting went well; several issues were discussed and clarified. He also noted this should strengthen communications with the parties involved in the future. He advised Council they are drafting a joint correspondence to be circulated to the public concerning the meeting, which should be in the near future. G. Andrews advised he did not attend his first SRPC meeting, he stated he forgot when the meeting was. G. Andrews also asked T.L. Crawford if she had a daughter that worked as a Southwest Regional Police officer. T.L. Crawford advised she does not have a daughter.

Heritage:

D. Folger advised Council they are updating their web site, so more information will be available on line. She also explained they are working with Chick-Fila for a “spirit” night. The event is May 5, and they will receive 20% of all receipts from 5:00pm -7:00pm. D. Folger will forward information on the event to the Borough office to be placed on the Borough web site, and posted in the lobby. She also advised the upcoming outside movie dates are June 18 and September 10, 2011.

Public Comment:

Assistant Scout Master M. Jackson advised Council he is accompanying some Scouts tonight that are working on obtaining a “citizenship” badge. He noted some of the Scouts may contact Council members to be interviewed concerning their duties. He noted the accomplishment of obtaining badges in the Scouting organization is not an easy task. The Scouts work very diligently to obtain badges, and this particular badge results in the member becoming a good citizen. He also noted the building project is still moving forward, and is being lead by Brad Hittie.

Patricia O’Brien was present to request Council waive or reduce the rental fee for the Community Center. She is planning to hold a Zumbathon to raise funds for breast cancer research. She explained she has support through her church, however not enough space is available at their facility to hold the event. She hopes to have approximately 100 participants, the session would be 2 – 4 hours, and a fee would be charged. E. Paules advised the policy for rate reduction has been for local groups, and recognized organizations not an individual. He inquired if she is working with HOPE, or any other local organization. She advised she was not at this time. President Terrell requested she contact Barb at the HOPE office and possibly work with that organization as a co-sponsor. He explained Council can’t grant a rate reduction for all parties that request it, even though it may be for a good cause due to the costs to operate the Community Center.

Shawn Van Tassel of 7 Duke St. was present to discuss the issue of open burning and burning in a container. He reports he has been given conflicting information, and a neighbor has contacted the police concerning his burning. T.L. Crawford advised he may have spoken with a newer office employee who may not have been clear on what open burning is. She advised a fire receptacle, such as the type purchased at Home Depot or a chimnea is permissible since it is contained. E. Paules noted the Ordinance is somewhat unclear on definitions, except to state no open burning and should be reviewed for clarity or possible changes. S. Van Tassel stated he has a pit and burns on days he is working in his yard, and he knows what neighbor is complaining. President Terrell advised an approved container is needed for burning, and the Ordinance will be looked at for possible changes. The codes officer will look into the situation at S. Van Tassel’s property.

LCB License Transfer Hearing: (opened at 1928 hours)

Attorney Ron Perry was present to review the request of Tom Potteiger. T. Potteiger is purchasing a liquor license from the, now closed “Charlie Browns” in York. He has been approved by the Bankruptcy Court to purchase the license. The license will be utilized a 14 East Franklin St., and will be owned by a LLC. T. Potteiger explained the establishment will be a sports themed tavern, with casual dining and seating for approximately 108 patrons. He explained the hours will be Mon. – Thurs. 3:30 pm until closing, Fri. – Sun. 11:00 am until closing. Council discussed the positive impact of utilizing an empty building, and having

another business in the Borough. T. Potteiger also advised Council he will be leasing the building with an option to buy, and he hopes to open July – August. Motion by E. Myers, seconded by E. Molinsky to approve the transfer of the LCB liquor license into the Borough. Motion carried. Hearing closed at 1946 hours.

Other:

President Terrell noted the 2011 Liquid Fuels check was received, noting the amount was an approximate \$ 3000. decrease form 2010.

T.L. Crawford advised Council the recorded plan for Rose Fire Dept. was reviewed for the placement of trees. At the March meeting Ms. Bonnie Houston of Freedom Ave. advised Council the trees were not planted as she was advised by the Fire Co. President. The site was visited with the plan and all trees are planted as shown on the plan. T.L. Crawford also noted Ms. Houston's driveway water problem was referred to the engineer for a solution to the roadway water problem.

Apartment Utility Termination:

T.L. Crawford explained a meeting was held with the property owner. He advised he would talk with a plumber on a possible remedy for the separate shut off valves for the units. He was also advised the liens are in excess of \$ 6000. He would not commit to any payment method. Solicitor Jones advised the property owner the Borough may force an action on the liens and he could forfeit the property. The owner agreed to contact the office within a week concerning payment arrangements to address the liens. K. Dickmyer advised the property owner has met with a plumber and representatives from the Borough's water dept. He noted a remedy is possible, but may be costly. The property owner has not contacted the Borough on his decision to install separate shut offs. She noted he has failed to contact the office concerning the liens, and another lien has been filed since the meeting for another quarter's bill. T.L. Crawford requests Council authorize the Solicitor to proceed to the next step. S. Hovis explained the next step would be to place with the Sheriff's office for sale. Motion by E. Myers, seconded by E. Molinsky to authorize the Solicitor to take the next step in recovering the Boroughs fees and legal costs. Motion carried.

ADJOURNMENT:

Motion by E. Myers, seconded by G. Andrews to adjourn at 2019 hours. Motion carried.