

NEW FREEDOM BOROUGH COUNCIL MEETING
December 12, 2011

Meeting called to order by President Terrell at 1850 hours. Present were:

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

CALL TO ORDER

DISBURSEMENTS:

General \$ 276,068.23. Motion by E. Paules, seconded by E. Molinsky to approve. Motion carried.
Water \$ 178,307.34. Motion by D. Sarpen seconded by E. Molinsky to approve, Motion carried.
Sewer \$ 13,475.57. Motion by D. Sarpen seconded by J. Halapin. Motion carried.
Recreation \$ 48.60. Motion by E. Molinsky seconded by J. Halapin. Motion carried.
Comm. Ctr. \$ 12,237.40. Motion by E. Molinsky seconded by E. Myers. Motion carried.

MINUTES: (11/29/11)

Motion by E. Paules, seconded by D. Sarpen to approve the minutes as presented. Motion carried.

PUBLIC HEARING:

President Terrell convened the public hearing for the abandonment of a portion of Bank Alley at 1900 hours. Solicitor Hovis read the petition for the abandonment of the portion of Bank Alley from Third St. to Rt:#851. He advised all three adjoining property owners have been notified that all maintenance will be their responsibility. No comment was received. Hearing closed at 1908 hours.

PUBLIC COMMENT:

Rose Fire Co. – Chief Holloway was present to advise Council the fire department will be present next month to discuss the concept of a storage building for their bar-b-que cooker.

Tax Collector – Thomas Murphy requested to utilize the Community Center for his sitting dates, and provided Council a list of the dates. Council approved the use of the Community Center for “tax collection” hours in 2012. He also requested Council adopt a Resolution for miscellaneous fees for his services such as tax certification \$ 20., duplicate fee \$ 3. and returned check \$ 25. Council approved the fees.

Brad Hittie – requested the fees that are required to be paid with the construction of the “scout/youth building” at Veterans Park. He understood all water and sewer system fees were waived, yet his packet W. Portner provided indicated an \$ 85. inspection fee for the water and sewer line. Council discussed the intent was to waive the system and tap fees which would total \$ 5,274. The inspection fees are for the water/sewer line to meet code. Motion by E.

Paules, seconded by D. Sarpen to waive the \$ 85. inspection fee for the water and sewer line. Motion carried.

REPORTS:

Mayor - Mayor Joy read the emergency services report for November. He advised the police budget for 2012 has been finalized in the amount of \$ 508,287. He advised he will be submitting his resignation from the position of Borough Mayor and Chairman of the SRP Commission effective December 27, 2011. President Terrell extended Council gratitude for his years of service, and wished him well in his position of District Justice.

Solicitor – S. Hovis reviewed Resolution 2012-3 (Tax Collector Fees). Motion by E. Molinsky, seconded by D. Sarpen to approve Resolution 2012-3 as presented. Motion carried.

Water - D. Sarpen advised Council there has been a minor problem with the SCADA system, and a new component was placed in well #8. Both are back in service. He also reported the entire Borough will be on the new system soon. D. Sarpen also advised a letter was sent to Ms. Bonnie Houston outlining the water that comes into her yard, and that the Borough cannot do anymore to remedy her concerns.

TCC – E. Molinsky reported the Board is currently working on a remedy that addresses the “building buy-in” and values. He advised there will be a refund but the amount is unknown.

Rec. – M. Halapin advised there are no new programs this month. E. Molinsky commended the Rec. Council on their events in 2011. He noted the new members have made a positive impact on the group, and they are no longer financially in the red.

Steam Into History – E. Paules advised Council he and President Terrell attended a meeting with representatives of the train. They are interested in working with the community and providing a viable business in NF. He provided 2 rough sketch concepts that utilize a portion of the Borough parking lot, Goodfellow Park and Areo Oil Co. property. They are interested in leasing a portion of the property to establish additional parking and are willing to improve the park. Council discussed the concept and the need for additional parking during events. Council discussed the removal of the “scout” house to allow more park space to be utilized if needed. Council agreed to continue to work with the business and will relay these concerns to them at the next meeting.

BUSINESS

Ordinance 2011-7 (Abandonment of Portion of Bank Alley)

President Terrell read the preamble. Motion by E. Molinsky, second by E. Paules to approve as presented. Motion carried.

Sewer Consulting Agreement – D. Sarpen discussed a request from North Codorus Sewer Authority to utilize the employees at the NF wwtp as trainers for their new operator. He explained he attend a meeting with members of the Authority and Township employees to discuss the concept, noting no NF employees operator’s license are required to be utilized. The agreement is very basic and is limited to 16 hours per week training at a fee of \$ 1500. a month. The training will be split between the NF wwtp and the NCTA wwtp. The agreement is valid for 1 year, however they believe it will only be necessary for 3-4 months. Motion by E.

Myers, seconded by E. Molinsky to approve the agreement to provide sewer consulting services to North Codorus Sewer Authority. Motion carried.

CONTINUANCE:

Motion by E. Molinsky, seconded by D. Sarpen to continue the meeting to December 28, 2011 at 8:00 am. Motion carried.

NEW FREEDOM BOROUGH COUNCIL MEETING
December 28, 2011
(CONTINUATION MEETING OF DECEMBER 12, 2011)

Meeting continued by President Terrell at 0800 hours. Present were: J. Halapin – Council member
D. Sarpen – Council Member
E. Molinsky – Council Member
G. Andrews – Council Member
E. Paules – Council Member
T.L. Crawford – Administrator
W. Portner – Codes Officer
Solicitor – S. Hovis

Other present: see attached

ANNOUNCEMENTS:

President Terrell reviewed the Borough office schedule for the holidays.

DISBURSEMENTS:

General \$ 56,257.54. Motion by D. Sarpen, seconded by J. Halapin to approve. Motion carried.
Water \$ 19,205.69. Motion by E. Paules seconded by D. Sarpen to approve, Motion carried.
Sewer \$ 14,834.91. Motion by D. Sarpen seconded by J. Halapin to approve. Motion carried.
Recreation \$ 153.45. Motion by E. Molinsky seconded by J. Halapin. Motion carried.
Comm. Ctr. \$ 6,026.75. Motion by E. Molinsky seconded by J. Halapin. Motion carried.

MINUTES:

Motion by E. Molinsky, seconded by J. Halapin to approve the minutes of 12/12/11 with a correction. Motion carried. Motion by E. Paules, seconded by E. Molinsky to approve the 12/12/11 budget work session minutes. Motion carried.

BUSINESS:

Resolution 2011-4 (Building/Inspection Fees) – President Terrell reviewed the Resolution. W. Portner explained the problem with some builders requiring multiple inspections for the same thing. He explained a recent inspection required 4 visits, due to multiple failures and the work not completed to code. E. Paules noted the fees should increase after the second visit for the same inspection. Council discussed the problems that occur when a builder repeatedly changes subcontractors. Motion by E. Paules, seconded by D. Sarpen to adopt Resolution 2011-4 with the fee being set at \$ 85.00 for the second reinspection and each additional reinspection.

Steam Into History LDP – President Terrell advised Council of a meeting with representatives of the company concerning leasing a portion of Goodfellow Park. They reviewed a basic sketch plan that would require the relocation of the basketball court, tennis court and playgrounds at their expense, and constructing an additional parking lot. He explained they will be submitting a LDP if Council is in favor of leasing the property. E. Paules elaborated on the proposal and the estimated cost of the park renovations and storm water management to be in the area of \$ 300,000. \$ 400,000. He reviewed a formula utilizing those figures, that equal lease revenues and for a period of 12 years. Council discussed the items that should be addressed in the lease such as, an improvement bond, non-assignable lease terms, storm water issues, parking etc. Motion by E. Paules, seconded by E. Molinsky to have the Solicitor draft a lease addressing the comments discussed for Council review. Motion carried.

Zoning Ordinance Amendment - Council briefly discussed the proposed zoning amendment for “urban mixed use” overlay district. NF Planning Commission members have been supplied with the amendment for comment. Motion by D. Sarpen, seconded by E. Paules to forward the proposed amendment to York County Planning Commission for review and comment. Motion carried.

SRPC Action – President Terrell reviewed a letter from Shrewsbury Borough accepting the SRPC decision to provide police service for the District Justice office in Shrewsbury Township. He expressed concern that the action by the SRPC was not done in accordance with the intergovernmental agreement. This type of decision should be brought to the members prior to any action being taken by the SRPC. President Terrell also reviewed several scenarios that could occur and result in overtime costs for court, yet the fee was established at a rate lower than the actual costs. He also noted the current District Justice has requested this type of service and the County of York declined to provide additional police service other than what is normally provided in the jurisdiction. E. Paules expressed dissatisfaction with the proposed cost, noting a non-member pays less than a member; subsequently there is no initiative to become a member. Solicitor Hovis reviewed the intergovernmental agreement, noting this action is not consistent with the terms set forth in the agreement. He also noted since it would be County property, same as any land owner, Shrewsbury Township would have to agree to have police powers provided by another entity. Council discussed in length their numerous concerns that included costs, manpower, jurisdiction, precedents, etc. Motion by E. Paules, seconded by G. Andrews to reconsider the issue after 90 days of the new District Justice being in office, and a letter requesting the service be received from the County of York with a fee agreed upon by the member municipalities and a letter of acceptance from Shrewsbury Twp. Motion carried. Council requested a letter be sent to SRPC, the County of York, District Justice and all member municipalities of the SRPC. Motion by E. Paules, seconded by D. Sarpen to send a letter to SRPC requesting a review the cost of selling services utilizing all actual and associated costs to determine a marketable rate that is agreed upon by the member municipalities as set forth in the intergovernmental agreement. Motion carried.

OTHER:

President Terrell reviewed the letter of resignation submitted by Mayor Jeff Joy, noting his resignation date of 12/27/11. Motion by E. Molinsky, seconded by E. Paules to accept the letter and have the office send a letter of appreciation for his service. Motion carried.

Motion by E. Molinsky, seconded by J. Halapin to authorize the payment of all routine expenses as necessary until the January 2012 meeting. Motion carried.

T.L. Crawford reminded all out going elected officials to return any keys, cards, key fob and books to the Borough office by 1/2/12.

ADJOURNMENT:

Motion by E. Molinsky, seconded by J. Halapin to adjourn the meeting at 0912 hrs. Motion carried.

