

NEW FREEDOM BOROUGH COUNCIL MEETING  
October 17, 2011

Meeting called to order by President Terrell at 1909 hours. Present were:

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

Other present: see attached

CALL TO ORDER

ANNOUNCEMENTS:

President Terrell announced Trick or Treat is October 31, 6-8 pm.

DISBURSEMENTS:

General \$ 70,420.39. Motion by E. Paules, seconded by E. Myers to approve. Motion carried, with D. Sarpen abstaining.

Water \$ 28,042.83. Motion by E. Myers seconded by D. Sarpen to approve. Motion carried.

Sewer \$ 32,169.53. Motion by D. Sarpen seconded by E. Myers to approve. Motion carried.

Recreation \$ 64.00. Motion by E. Paules seconded by E. Myers to approve. Motion carried.

Comm. Ctr. \$ 7,698.20. Motion by E. Myers seconded by E. Paules to approve. Motion carried.

Liquid Fuels - \$ 83,510.19. Motion by E. Myers, seconded by E. Paules to approve. Motion carried.

H & H Payment Request - \$ 52,802.60. Motion by E. Paules, seconded by E. Myers to approve payment in the amount of \$ 47,802.60, and retain \$ 5,000. for the completion of the Bond Street driveways. Motion carried.

Hogg Payment Request – Motion by E. Paules, seconded by E. Myers to approve payment in the amount of \$ 95,108.49. Motion carried.

MINUTES: (9/12/11 and 9/27/11)

Motion by E. Paules, seconded by E. Myers to approve the 9/12/22 minutes with a correction on the water tank discussion. Motion carried. Motion by E. Myers, seconded by E. Paules to approve the 9/27/11 minutes as presented. Motion carried.

REPORTS:

Mayor - Mayor Joy read the emergency services report for September. He advised the SRPC will hold an executive session on 10/18/11. He also noted the arbitration decision has been received, and will be distributed to SRPC members on 10/18/11. He briefly reviewed the proposed 2012 budget. He advised some final numbers such insurance have not been received, and there may be a few final adjustments to the proposed budget. He reported New Freedom's 2012 payment will be \$ 509,000. He noted the budget includes an additional officer, and a vehicle. He advised the police department has Halloween bags available for children. He explained the police incident trailer is being given to Dauphin County, and the paperwork should be complete by 1/1/2012. He also advised he attended a recent EMA meeting to discuss flood assistance in York County, in which NF was very fortunate.

Solicitor – P. Falzoni advised Council his issues are later in the meeting as agenda items.

Water - D. Sarpen advised Council the pump for well #8 should be replaced within the next 2 weeks. Council discussed the status and plans for removal of the 3<sup>rd</sup> St. tank. Buchart Horn will be contacted concerning the water remaining in the tank. Council determined a FRP for removal for scrap will be put out after Jan. 1, 2012.

Roads – E. Paules reported a letter was received from 3 residents concerning a possible abandonment of an alley off Third St. T.L. Crawford advised the Solicitor is researching the issue, it appears the alley has never been adopted, but plowed. P. Falzoni will report back after he researches the 3 deeds that are adjacent to the alley.

Police – G. Andrews reported the arbitration decision does permit drug and alcohol testing.

Rec. – M. Halapin advised Council the Veterans Day Picnic is Nov. 11 at the Community Center. She also reported the New York City bus trip scheduled for Nov. 5 has seats available.

#### PUBLIC COMMENT

None

#### BUSINESS

Ordinance 2011-3 (Water Rates) – President Terrell read the preamble noting the usage amount decreased from a minimum of 6000 gal. to 5000 gal., at a base rate of \$ 43.00 plus \$ 8.00 per 1000 gallons over the minimum. Motion by E. Myers, seconded by D. Sarpen to adopt Ordinance 2011-3 as presented. Motion carried.

New Freedom Business Park LDP – J. Holley reviewed the plan for an expansion of the parking lot. He requested waivers for SLDO #4.20(5)4 soil types, #4. 22(1) contours, #4.24(3) storm water plan, #4.24(4) E&S plan, #4.27(2) plan scale. E. Myers noted the work was completed prior to any permits or plan being submitted. E. Paules commented on traffic and pedestrian route problems, noting had the owner contacted Crescent Industries they could have jointly worked on a plan to accommodate both entities. Motion by E. Myers, seconded by G. Andrews to grant the waivers as requested. Motion carried. E. Paules opposed, D. Sarpen abstained. J. Holley requested modifications to the SLDO sections #4.20(2) 1,2,3, existing streets, #4.20(5) natural features, #4.20(6) manmade features and #4.22(4) utilities. Motion by E. Myers, seconded by G. Andrews to authorize the modifications as requested. Motion carried with E. Paules opposed and D. Sarpen abstained. Motion by E. Myers, seconded by G. Andrews to approve the plan. Vote, Myers and Andrews in favor, Terrell and Paules opposed, Sarpen abstained. Mayor J. Joy voted to break tie in favor. Plan approved. Council noted this plan was “post facto”, a plan was submitted after the work was done and the codes enforcement officer filed violation notices.

1734 LLC LDP – J. Holley presented the plan which is a change of use from an assisted living facility to a single family residence. J. Holley requested the following waiver; SLDO #4,20.5(4) soil types, #4.24(3) storm water plan, #4.24(4) E&S plan. Motion by E. Myers, seconded by E. Paules to grant the waivers as requested. Motion carried with D. Sarpen abstained. J. Holley requested the following modifications for SLDO #4.20.(5) soil types and #4.20(6) manmade features. Motion by E. Myers, seconded by E. Paules to authorize the modification. Motion

carried with G. Andrews opposed and D. Sarpen abstained. Motion by E. Myers, seconded by E. Paules to approve the plan. Motion carried with D. Sarpen abstained.

Special Exception Water Tank Cell Lease Plan – No one present to represent the plan. Motion by E. Paules, seconded by E. Myers to table the plan. Motion carried.

Veterans Drive Proposed Youth (Scout) Facility – J. Holley reviewed the plan being proposed by the Boy Scouts. He requested the following waivers; SLDO #4.20(5)4 soil types, #4. 22(1) contours, #4.24(3) storm water plan, #4.24(4) E&S plan, #4.27(2) plan scale and modifications to the SLDO sections #4.20(2) 1,2,3, existing streets, #4.20(5) natural features, #4.20(6) manmade features and #4.22(4) utilities. Motion by E. Paules, seconded by G. Andrews to approve the waivers and modifications as requested. Motion carried with D. Sarpen abstained. J. Holley advised there will be 38 parking spaces in the existing stone area and the plan will reference the shared parking with the church. He also noted a perc test will be performed to determine the seepage pit specifications, and stated the retention pond is adequate for any additional water. J. Holley reported all of the Rec. Council's questions were answered to their satisfaction. M. Halapin questioned the pond and it's capacity with more building in the area. She reported Mr. Andy Bobby could not be present at the meeting but has concerns. President Terrell also expressed concerns with the pond, noting there were numerous problems in the past. J. Holley also advised the existing SYC shed will be moved. P. Falzoni advised he had a brief conversation with the acting Director of PA L&I concerning the proposed plan. P. Falzoni is hoping to have a written decision by the November meeting. Motion by E. Paules, seconded by E. Myers to approve the plan contingent upon a favorable decision by PA L&I and an agreement of lease for the property. Motion carried with D Sarpen abstained.

#### OTHER:

Penn waste Contract Extension for 2012 – T.L. Crawford advised this is the last extension that may be done to the current refuse contract. The increase is \$1750. monthly, noting the increase by York County Solid Waste Authority. Council discussed the high level of service that is received, as well as becoming involved with community events. T.L. Crawford advised very few complaints are received at the office. Motion by G. Andrews, seconded by E. Paules to extend the contract thru 2012. Motion carried.

Community Center Update – T.L. Crawford review the status of the project, noting the need for a change order to replace a window. She advised the triple window in the first floor senior center room does not close tight or lock. She noted this was not previously reported by the senior center, but found during an outside inspection. She also advised Council this needs to be addressed due to heating and cooling costs and it is one of the oldest windows in the facility. Motion by G. Andrews, seconded by D. Sarpen to approve the change order for the replacement window in the amount of \$ 1,204.48. Motion carried. T.L. Crawford reviewed a possible change order for the awning over the main entrance. The change order consists of installing a polygala material band around the face with LED lighting behind it. This would create a soft blue light to accent the main entrance. Council discussed the ascetics of the facility, as well as lighting of the general area. Motion by G. Andrews, second by B. Terrell to approve the change order for the polygala and lighting addition to the main entrance in the amount of \$ 4,927.67. Motion carried.

Smith Woods Pavilion – T.L. Crawford advised Council the Rose Fire Co. requested to enclose the pavilion and utilize it as a storage shed. They advised the Rose Fire Co. built the structure

in the 1970's on the land that was donated to the Borough. Council discussed the need to improve the woods/park so it may be utilized as an accessory to the Community Center. Council declined the request to enclose the picnic pavilion, noting they will contribute 50% of the cost for them to purchase a storage shed/garage and have it placed on their parcel.

**ADJOURNMENT:**

Motion by E. Myers, seconded by E. Paules to adjourn the meeting at 9:38 pm. Motion carried.