

NEW FREEDOM BOROUGH COUNCIL MEETING
June 13, 2011

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

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

Other present: see attached

CALL TO ORDER

ANNOUNCEMENTS:

President Terrell noted the following upcoming events; Lions Club Carnival 7/4/11-7/9/11, Borough Parade July 9 (Sat.) 4:30pm and Rose Fire Co. Bar-B-Que June 25. President Terrell congratulated Mayor Joy on his recent win in the May election for District Justice position on the ballot.

DISBURSEMENTS:

General \$ 70,079.52. Motion by D. Sarpen, seconded by E. Paules to approve. Motion carried.
Water \$ 123,309.39. Motion by D. Sarpen seconded by J. Halapin to approve, Motion carried.
Sewer \$ 75,430.38. Motion by E. Paules seconded by J. Halapin. Motion carried.
Recreation \$ 5,337.53. Motion by J. Halapin seconded by D. Sarpen. Motion carried.
Comm. Ctr. \$ 3,450.14. Motion by J. Halapin seconded by E. Paules. Motion carried.

MINUTES: (May 9, 2011)

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

REPORTS:

Mayor - Mayor Joy read the fire and ambulance report for May and the police report for April. He advised Paul Heffner has been hired as the newest member of the department. He noted he was already Act 120 certified, and did not need to go to HAAC. Mayor Joy read letters from Glen Rock and Shrewsbury Borough indicating they are withdrawing their "notice of withdraw for 2011". He also advised Shrewsbury Borough sent a letter of support for the agreement to sell service to Loganville. He advised Council he will be resigning from the Mayor position and the SRPC prior to the reorganization meeting in 2012, yet would be interested in remaining the Borough EMA Director. E. Paules questioned the Mayor on the policy concerning attendance at the SRPC meetings. He expressed concern that the SRPC meeting in May was not attended by the Borough Council representative or the Citizen Representative. He stated a policy should be in place if a member will be absent to notify the alternates to attend. Mayor Joy will check with the Police Administrator on a policy or past practice. G. Andrews questioned when the Borough will rescind their "notice of withdraw" to the SRPC. E. Paules advised a joint statement is being worked on with Mayor Joy for SRPC review. He explained a letter was drafted but did not get the approval of the SRPC. He also noted the intent is to clarify some issues and goals in the letter. He expressed his dissatisfaction with the SRPC minutes of last month, noting one SRPC Commission member was very vocal about not doing a joint statement or establishing joint goals. He advised he will be meeting with Mayor Joy on

6/14/11 to continue to work on a letter, however it is unknown if the SRPC will support the draft. Mayor Joy reminded Council the next SRPC meeting is July 20 due to the carnival.

Recreation - M. Halapin advised the Kelly Miller Circus was a success, netting a profit of \$ 1800. President Terrell commended her on the success of the Circus and E. Paules noted the quality of the acts and entertainments were excellent. She extended her gratitude to the Borough office staff for the help with the circus. She noted that "Teen Time" will begin in 2 weeks at Goodfellow Park. She thanked D. Bortner and the public works staff for the installation of the new water fountain at Goodfellow Park. M. Halapin questioned if another Council member will be available to assist the Rec. Council to gain access to the building for their meetings since E. Molinsky is not available this summer. J. Halapin will support the Rec. Council through the summer months to access the building.

Water- D. Sarpen advised a letter was received from the Commonwealth advising the H2O grant application was not successful. He also reported the test well will be done at Quail Park on 6/29/11. He explained the new water tank was in service for a few hours last week, and 1 major leak occurred, but it is unknown if it was a current slow leak that intensified with the higher pressure or a new leak. He also explained a problem with the one new pump which is pumping too much. He reported D. Bortner is working with Bukhart Horn and Eichelberger to remedy the problem.

Ashlee Court- D. Sarpen expressed his concerns over the condition of the roadway, and the remaining public improvements that need completed. Council discussed the concerns with the cost of the improvements needed, and the low amount remaining on the bond. President Terrell also expressed concern on the Borough's policy of 75% competition prior to adoption. T.L. Crawford advised Council the engineer's estimate for public improvements has been forwarded to Arch Bonding Co. and we are waiting their decision. She also noted Solicitor Hovis advised the HOA would also bear some financial responsibility for these repairs. D. Sarpen requested the Solicitor contact Arch Bond to try and expedite the process.

Web Site – E. Paules reported the management of the web site by Administrator Crawford is going well.

PUBLIC COMMENT

Gene Wolf was present on behalf of Rose Fire Co. The fire dept. is requesting to remove the bar-b-que pit at Smith woods. He noted the block is broken and the pit has become a trash and paper pit. The fire co. has purchased a bar-b-que wagon and would like to store it under the roof and clean the area up. E. Paules noted the Boy Scout paper collection location needs to be changed from there to a manageable location in the Borough. A member of the audience advised Council the scouts are considering a location at the Catholic Church; however nothing has been finalized yet. Motion by E. Paules, seconded by J. Halapin to authorize the fire co. to remove the bar-b-que pit at Smith woods. Motion carried.

BUSINESS

SYC Small Game of Chance Request – T.L. Crawford advised Council the group needs a letter from the Borough acknowledging that the Borough is aware of the organization running small games of chance at their events. P. Falzoni advised the Borough has no liability or responsibility, just is required to acknowledge it is being done on Borough property. Motion by

D. Sarpen, seconded by G. Andrews to send a letter to the County as requested. Motion carried.

NF Heritage – D. Folger advised the Freedom Fest will be coming in September, and there is a movie this coming weekend at Freedom Green.

Boy Scout Troop 24 was present to observe the meeting which assists them in achieving their Communication badge.

2011 Road Bids – E. Paules reviewed the bid results as follows;

H & H General Construction	\$ 162,453.80
Kinsley Construction	\$ 165,836.00
Emory Peters Excavating	\$ 187,534.50
Stewart & Tate	\$ 235,812.36

Council voiced some concerns with H & H Construction, noting they have never worked in the Borough, nor bid a municipal project in the Borough. Council requested the engineer review the specs. with them prior to starting the work and their work are watched closely during the project. Motion by E. Paules, seconded by J. Halapin to award the bid to H & H Construction in the amount of \$ 162,453.80. Motion carried with D. Sarpen abstaining. Bonnie Houston questioned if her water problem will be resolved. Council advised it is part of the project to deviate the water away from her property. She requested someone also repair her yard which was damaged from water run-off. D. Sarpen noted it will be looked at, however the Borough Does not go beyond the ROW for repairs.

Water Tank Cell Lease – P. Falzoni advised Council he had reviewed the basic lease submitted for review. He noted some concerns, such as renewal periods, fees, removal etc. Council discussed the lease and does support the concept. Motion by E. Paules, seconded by G. Andrews to authorize the Solicitor to work with the agency on an acceptable lease with the rent established at \$1800. per month, an annual 3% increase in rent and reimbursement of Solicitor fees. Motion carried.

Ordinance 2011- (Delinquent Utility Ordinance Amendments) – P. Falzoni explained the ordinance is a collection of amendments to update the collection process to all current laws. He explained the changes in the lien laws, and water termination laws. The ordinance will also permit all fees to be established by Resolution at no cost, as opposed to ordinance at a considerable cost. Council reviewed and approved the draft Ordinance. Motion by G. Andrews, seconded by E. Paules to authorize the Solicitor to advertise the Ordinance for adoption at the next Council Meeting. Motion carried.

Mid-Atlantic Application for Payment – President Terrell reviewed the application which was approved by Bukhart Horn, noting a credit for a change order of \$ 10,000. will be forth coming. The amount requested is \$ 54,156.73. Motion by D. Sarpen, seconded by E. Paules to approve the application for payment. Motion carried.

OTHER:

Community Center - T.L. Crawford reviewed the written complaints that were received at the Borough concerning the Senior Center Director. Council discussed the complaints, noting numerous complaints were previously received, but by telephone. The office always provided the complainant the name and number of the York Agency on Aging, which oversees the

center. Since the complaints are now in written form they be should forwarded to the proper agency. E. Paules requested it be noted in the letter sent to the Agency that the Senior Center Director does not work for the Borough, and does not manage the Community Center, but is a tenant in a small portion of the facility.

Soccer Camp Flyer – T.L. Crawford advised Council of the copy of a flyer received concerning a “camp” being held at 2192 Bailey Ave. She noted this is a zoning violation since there is already one in home business being conducted at that location. The property owner would need to file for a conditional approval, and be approved to have multiple in home businesses in a single family residential zone. T.L. Crawford requested authorization to contact the property owner by telephone tomorrow prior to sending a letter since the camp is advertised to start on 6/20/11. Council authorized a telephone call to alert the property owner of the problem, to be followed by an official letter.

ADJOURNMENT:

Motion by E. Paules, seconded by G. Andrews to adjourn at 8:17pm. Motion carried.