

**NEW FREEDOM BOROUGH COUNCIL MEETING**  
**May 9, 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  
P. Falonzi – Solicitor  
T.L. Crawford – Administrator

Other present: see attached

**CALL TO ORDER**

**DISBURSEMENTS:**

General \$ 234,737.28. Motion by D. Sarpen, seconded by E. Paules to approve. Motion carried.  
Water \$ 67,923.25. Motion by D. Sarpen seconded by E. Molinsky to approve, Motion carried.  
Sewer \$ 103,544.67. Motion by E. Paules seconded by D. Sarpen. Motion carried.  
Recreation \$ 507.93. Motion by E. Molinsky seconded by D. Sarpen. Motion carried.  
Comm. Ctr. \$ 7,275.91. Motion by E. Molinsky seconded by E. Paules. Motion carried.

**MINUTES:** (April 11, 2011)

Motion by E. Myers, seconded by E. Molinsky to approve as presented. Motion carried.

**REPORTS:**

Mayor - Mayor Joy read the fire and ambulance report for March, and the police report for April. He advised the “drug take back” was a success with 190 lbs. of drugs remitted to be disposed of properly. He also advised there will be a SRPC continuation meeting on May 18, 2011. G. Andrews advised the limited services for Loganville will begin June 1, 2011. He reported they may increase services at a later date. President Terrell noted the intergovernmental agreement states the selling of service is to be agreed upon by the member municipalities, and this was not done. He reminded Council members the members actually pay the bills for SRPC, and should have full knowledge prior to other commitments being made. E. Paules noted there is no clarity on details, such as hours, costs, dispatched via 911 or municipal official etc. Chief Boddington explained the service for Loganville is very basic, average of 5 hours per week. The main focus is Ordinance enforcement, occasional public service with traffic etc. He also advised Loganville considers this a “trial” for municipal police service. They are concerned if the Commonwealth passes any legislation charging for PSP services they will need to make a decision who will service their municipality. The Chief also noted the cost is the same as the rate charged to other entities it sells service to, \$ 65.31 per hour. Motions by G. Andrews, seconded by E. Molinsky to have NF rescind the letter sent to SRPC notifying the intent to withdraw from the Southern Regional Police. E. Myers stated the issue of selling service to Loganville, is a separate issue from the Boroughs concerns and the reason for the letter. President Terrell advised there has been a meeting with representatives from the member municipalities, and the SRPC to discuss some of the issues and concerns. E. Paules explained they are working on drafting a letter outlining and clarifying issues for the residents. He also noted it is best not to be premature and allow the letter to be finished and sent prior to any

other action being taken on this issue. G. Andrews did advised Council he still wants to see a peer-to-peer study on the Southern Regional Police Dept. E. Molinsky questioned when the remainder of Council will know what is being addressed in case other Council members want to address items. E. Paules advised the letter is a joint statement to show a unified purpose, such as clarifying issues in the intergovernmental agreement. President Terrell called for the vote. Motion unanimously opposed. Motion failed. Motion by E. Myers, seconded by E. Paules to support the selling of service to Loganville at a rate of \$ 65.31 pr. hr., for an estimated 5 hours per week. E. Molinsky suggested amending the motion not stating an hourly rate, but to state at "the departments prevailing rate". Motion by E. Myers, seconded by E. Paules to amend the previous motion. Motion carried.

Police – Chief Boddington noted the "drug take back" was a success, and plan on having one next year. He hopes to have a "shredder" event at the same time to allow residents to bring documents to be securely destroyed. He commended John from the WWTP on explaining to people the problem with "flushing" drugs and how it impacts the system. He also commended the different vendors that participated, such as Rite Aid, York Hospital etc. He also reminded Council the closest recycle center for CFL bulbs is Home Depot.

Water- D. Sarpen requested Council consider doing testing at Quail Park for a well. He reminded Council DEP did approve a test site and pre-drill plan at that location in 2010. He noted the Borough is down a well since Bowser School Road well ceased production. Motion by E. Myers, seconded by E. Molinsky to authorize B&H to contract for the well test at depth NTE 400 feet. Motion carried. D. Sarpen also advised Council the Rotary Club that has improved the park as a community project would like to make another minor improvement. The club would like to install a drain to take the water from the area of the spring to the creek. This would dry up some of the wet areas that the Borough has difficulty mowing, and the park visitors would have a larger area to utilize. James Holley engineering will handle all paperwork required or permits at no cost to the Borough. Motion by E. Myers, seconded by E. Molinsky to authorize the Rotary Club to do the project. Motion carried, with D. Sarpen abstaining.

Planning Commission - E. Myers reported the Pottinger Plan is on the agenda, and the PC has recommended approval.

Tax Collection Committee - E. Molinsky advised the York and Adams County committees will be combining. He noted the only change that may be needed is an Ordinance update for non-residents. The estimated date for the partnership is January 1, 2012.

Recreation - J. Davis advised the Egg Hunt was a huge success, over 100 children attended. They will hold the event again next year. She reported the Kelly Miller Circus will be at the Goodfellow Playground on June 1, for 2 shows. The tent will be raised by the elephants at 10:00 am the day of the show. She reported there will not be a spring tennis program this year.

#### PUBLIC COMMENT

April Wright & Deb Bonitz were present to request Council waive the "paid in full" booking clause on the Community Center Contract. They would like to host a fund raiser for an ill infant and request to pay 50% of the fee at booking and the remaining 50% 2 weeks prior to the event. Motion by E. Myers, seconded by E. Molinsky to grant the request. Motion carried.

Mitch Britton of Railroad Ave. requests Council consider posting Children at Play signs, or a 10 MPH speed limit sign due to the excessive speeding in the alley. Council agreed there is a problem between the park, the bank and it being used as a short cut. Council will investigate “speed tables” and see if they would be a remedy to slow drivers down.

## BUSINESS

Pottinger Plan (Sports Bar) James Holley present to review the plan for a sports bar on Franklin St. He explained all requested variances have been granted, and all comments from Buchart Horn and York County Planning have been addressed. He did note they are not able to designate a loading space, but will establish delivery hours prior to business hours. The proposed business hours are Mon. – Thurs. 1500 hrs. – closing. Fri. – Sun. 1100hrs – closing. J. Holley noted SLDO Section 702, permits a conditional approve for on-street parking to be substituted for off-street parking. Motion by E. Paules, seconded by E. Myers to grant approval for conditional use as requested. Motion carried, D. Sarpen abstained. E. Myers questioned the need for additional EDU's. TL Crawford explained based on the use 1 more EDU is required, and would be monitored for a year to see if additional are needed. She explained this has been the policy in the past for business use. Motion by E. Myers, seconded by E. Paules to approve the plan with purchase of 1 EDU, and settlement of additional EDUs after 1 year. Motion carried with D. Sarpen abstaining.

Delinquent Utilities – President Terrell reviewed the memo concerning the increase in delinquent utilities, and the additional cost to the Borough to try to recoup the costs involved with collection. Solicitor Falzoni explained this is a common problem in York County, and most municipalities are amending their policies to be aggressive. Copies of all policies were distributed to Council noting the process will be faster and be more effective. He explained the new policy will shorten the time frame for action, including termination and the costs will be increased and passed to the customer. He noted it is not an attempt to punish any customer, but to make them realize the utilities should be paid before the internet, cable TV, cell phone etc. He reviewed the lien process for refuse, and how it can be moved faster to a judgment. He reminded Council we currently forcing a judgment to sale for utilities. Motion by E. Myers, seconded by E. Molinsky to adopt the new policies for use as presented. Motion carried.

Sprinkler Specs – President Terrell noted even though the UCC has been amended and does not require sprinklers in single family houses, we need a set of specs for those that want a sprinkler installed. D. Sarpen explained the specs, noting the fire line is always on, yet the other line can be shut down for non-payment of utilities. Motion by E. Paules, seconded by E. Myers to adopt the specs and incorporate them into the water specification booklet. Motion carried.

Resolution 2011-3 (Schedule of Fees and Costs) – Solicitor Falzoni explained the need for the Resolution was to increase the direct cost for utility collection. President Terrell read the Resolution. Motion by E. Molinsky, seconded by E. Myers to adopt the Resolution as presented. Motion carried.

Roads 2011 – E. Paules read the list of streets, alleys being prepared for bid as the following; Bond St., N. Shaffer Dr., Barelyn Dr., Mulberry lane, Singer Rd., Freedom Ave., Front St., School Alley, Maple Alley, Schuhart Alley and Chestnut Alley. He noted based on what the bids come back as, not all may be repaired. He also explained most are base repair. Motion by E. Paules, seconded by E. Myers to put the street list and specs out for bid. Motion carried. T.L. Crawford requested to add the repair in the area of 7 Dickinson Court to the list. She noted she spoke

with the contractor that had performed the sewer repair, and we are holding \$ 3,238.82 for security. They requested we fix the area, as opposed to them coming back to do the repair. J. Holley believes that will be enough to pay for that small repair, and advised we can notify them when the bid comes back if that is not enough to cover the cost. Council agreed to add the repair to the 2011 road list.

Ashlee Court – E. Paules discussed the list of improvements J. Holley’s office prepared with public works and noted the cost exceed the amount of the bond being held. The estimated repairs cost \$ 68,770. and the bond is only \$ 49,000. Council discussed the need to do some of these repairs and the need to put the bond company on notice. Motion by E. Myers, seconded by E. Paules to notify the bond company of the Boroughs intent down against the bond. Motion carried.

Community Center Caretaker – Council reviewed the letter of interest submitted by Marie Halapin. Council noted no other letters of interest were received. Motion by E. Myers, seconded by E. Molinsky to appoint Marie Halapin as the Community Center caretaker. Motion carried.

Other:

Council reviewed the proposed Eagle Scout project submitted by Kyle Beam for a sign at Goodfellow Park. Motion by E. Paules, seconded by E. Myers to grant approval for the project with the condition that K. Beam work with the public works dept. Motion carried.

Girl Scout Request – Council review the request for a waiver for the fee for the Community Center to hold a pet clinic and fair. Council noted they do not waive fees for rentals, and an event such as this would be better suited outside at 1 of the parks, subsequently denying the request.

President Terrell reminded Council now that the fair weather is here the community center must be finished. The most important aspects of the project are the roof and the EFVIS on the exterior of the building. The remaining portions such as the floors etc. can be bid as a separate packet. Motion by E. Myers, seconded by D. Sarpen to put the remainder of the project out for bid in groups to include the exterior, flooring and painting. Motion carried.

Mid-Atlantic Application for Payment – D. Sarpen reviewed the application which was approved by Buchart Horn. The amount requested is \$ 80,033.60, the amount remaining is \$ 75,211.03. Motion by D. Sarpen, seconded by E. Paules to approve. Motion carried.

E. Molinsky advised Council he will miss the June and July meeting, and possibly Aug. He will be out of town due to an illness of a family member that resides in another state.

**ADJOURNMENT:**

Motion by E. Myers, seconded by E. Molinsky to adjourn. Motion carried.