

**NEW FREEDOM BOROUGH COUNCIL  
SPECIAL/RESCHEDULED MEETING  
JANUARY 13, 2011**

**Meeting called to order by President Terrell at 1800 hours. Present were:**

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

**Other present: see attached**

**DISBURSEMENT: (12/5-12/29/10) year end**

**General \$ 167,662.02. Motion by D. Sarpen seconded by G. Andrews to approve. Motion carried.**

**Water \$ 239,233.47. Motion by D. Sarpen seconded by E. Myers to approve, noting to retain the check for Mid-Atlantic until issues are resolved with the water tank. Motion carried.**

**Sewer \$ 637,112.18. Motion by E. Myers seconded by D. Sarpen. Motion carried.**

**Recreation \$ 64.00. Motion by E. Paules seconded by D. Sarpen. Motion carried.**

**Comm. Ctr. \$ 3,733.61. Motion by D. Sarpen seconded by E. Paules. Motion carried.**

**Liquid Fuel \$ 85,000. Motion by E. Myers seconded by E. Paules. Motion carried.**

**MINUTES: (Dec. 13, 2010)**

**Motion by E. Paules, seconded by G. Andrews to approve the budget session minutes as presented. Motion carried.**

**E. Paules noted E. Molinsky requested a correction to the regular meeting minutes concerning his statement concerning Northern Regional Police. He requested it be changed to York Area Regional. E. Paules noted the statement was in fact "Northern Regional Police", and recommend it be noted as [sic] York Area Regional. Motion by G. Andrews, seconded by E. Paules to add [sic] York Area regional and accept the minutes with revision as stated. Motion carried.**

**REPORTS:**

**Police Chief – Chief Boddington explained the police report time frame that is utilized. He advised there have been 2 additional daytime burglaries, and there has been an arrest of a subject in York City that has recovered some of the stolen property. He elaborated on the arrest of a bank robbery suspect arrested on 1/83 as a result of cooperation with surrounding departments. Sgt. Smuck advised of a recent DUI that went to Common Pleas Court, and the suspect was found guilty by a jury. He also noted this is the first DUI to go this far in his 11 years. Robert**

**Werner questioned if police agencies are issued a list of all residents with suspended driver's privileges. He explained his occupation in the insurance industry, he sees individual drive that are without operator's license. Chief Boddington explained that would be too much information for officers to handle on a regular basis, however if they are notified of someone that is operating a vehicle without a valid operator's license that would handle on a case by case basis.**

#### **Mayor:**

**Mayor Joy read the emergency services report, noting the major fire loss on Third St. He announced James Boddington was sworn in as Police Chief on Jan. 5, 2011. He also noted Derrick Smith will be sworn in as the new officer in February. He explained D. Smith is Act 120, and will take the MOPEC test. He advised he attended a Shrewsbury Township meeting and was questioned by some residents concerning finances.**

#### **Water:**

**D. Sarpen explained the issue with the water system and the residential sprinkler requirements. He noted he has met with the water dept. personnel and the UCC inspector to insure any policies and procedure meet all the applicable laws. D. Bortner and W. Portner briefly reviewed some of the concepts they are investigating, and the areas of concern. W. Portner advised he has contacted various municipalities concerning this issue, and most are still developing policies. D. Sarpen advised they are looking into single and split services and will come to Council with a recommendation for new specifications.**

#### **Personnel:**

**E. Paules advised the committee met with employees for performance evaluations on 12/16 and 12/29. He reported all salary changes were within the budget, and were based on two separate independent salary and wage reports. He noted the Borough Administrator declined use of any Borough owned vehicle. The committee made the vehicle available to the water dept. superintendent, who also declined. The committee requested the Administrator contact other municipal entities about selling the vehicle, and/or put out for sealed bid. Motion by E. Myers, seconded by D. Sarpen to advertise the vehicle for sealed bid; if no governmental entity is interested in purchasing it. Motion carried. E. Paules also explained during the evaluation process numerous complaints were voiced by the employees concerning Councilman E. Molinsky, which will need to be discussed in executive session. Pres. Terrell noted during the budget process the office reviewed insurances, and obtained quotes for various policy modifications. He explained the recommendation was to change to Highmark Blue Shield, with a**

higher deductible and a few other plan changes that is a saving of \$ 78,502. for one year premium's. He commended the office staff on this change, noting this action was done by the staff, not Council. E. Paule commented this plan has high deductibles, which would account for some of the savings.

#### **BUSINESS:**

**Enernoc – T.L. Crawford provided the Enernoc proposal, noting this has been in progress for the past 8 months. E. Paule explained the proposal buys back electric from the wwtp. E. Paule is familiar with the company and this type of program. He noted an added benefit is this program will also afford for the generator to be exercised on a regular basis. The receipts over the next 5 years will total \$ 64,000. Motion by D. Sarpen, seconded by E. Myer to approve the contract with Enernoc as presented. Motion carried.**

**Control System 21 – D. Sarpen noted this equipment and programming is an upgrade and new installation of the SCADA PLC pack and panels for the water system. The total cost is**

**\$ 28,428.47. Solicitor Hovi noted if bidding exemption is claimed a certificate is required to be filed for proprietary or unique equipment. Motion by D. Sarpen, seconded by E. Myer to accept the bid contingent upon the bidding exemption certificate being filed. Motion carried.**

#### **PUBLIC COMMENT:**

**James Holley was present to discuss the concept of the proposed Scout House at Veterans Park. He explained he was contacted to donate engineering assistance. The proposed building is approximately 42x72 ft. in size. The Scouts have a contractor who is willing to provide a foundation free of charge, and Kinsley Construction will provide labor from his school if materials are provided on location. J. Holley requests Council waive the requirement for a land development plan for the building, noting the cost is a problem for the Scouts. J. Holley advised his office will address stormwater for the site. Council noted a few issues still need to be settled such as the lease terms, utility payments, parking etc. Motion by E. Paule to waive the standard LDP and utilize a modified LDP for the building. Solicitor Hovi cautioned Council not waive the LDP as set forth in the PA MPC. He advised to require the LDP and waive the requirements as deemed appropriate. E. Paule rescinded his motion. D. Bortner questioned if the Scouts obtain a new building to use, will they vacate the building to the rear of the water dept. He stated this would be a good location for the paper drop off, the current location next to the Community Center results in paper blowing around the area.**

**James Holley also requested Council consider addressing the streets in the Freedom Overlook subdivision, known as the former Bull property off Second St. He explained since the streets only have the binder on they will continue to break apart. He believes the cost to do the street is within the security held by the Borough. D. Bortner questioned who will be responsible for the curbs, utility boxes etc. J. Holley advised there are methods that can be used to recoup costs from any builders coming in for the remaining lots, including liens. D. Bortner will investigate what is the status of the public improvements to be done in the development. S. Hovis will review the financial security after D. Bortner submits the public improvement list.**

**Robert Werner of 111 E. Highland Ave. questioned the paving along Highland Ave. and the need for fill ground at the end of his yard. D. Sarpen will check the contract for the measurement and any pertinent criteria for back fill at yards and who is responsible.**

**R. Werner also advised he has had bad water pressure since he had the new valve installed. Council explained the new tank should increase pressure for that section of the Borough.**

#### **EXECUTIVE SESSION:**

**Council convened to executive session at 1850 hrs. for personnel and pending litigation. Council reconvened to the regular meeting at 1934 hrs.**

#### **OTHER:**

**Motion by E. Paules, seconded by E. Myers to authorize the Solicitor to draft a Resolution to be known as resolution 2011-1 addressing the conduct, rules and policies for Council members and employee contact as defined by Council or committee, and stating Council members must be authorized by Council to speak or represent the Council of New Freedom to others including social media methods. Motion carried.**

**E. Paules advised the police study is still in process, however they have drafted a report outlining the results and findings at this stage. He believes this should be forwarded to residents as they requested at a previous meeting, and the SRPC. President Terrell noted the study is not complete and will continue, however this may stop some of the misconceptions and half truths that are being circulated in the community. He also advised this letter can be supported by studies, minutes and documentation, it is not hearsay. Motion by E. Paules, seconded by D. Sarpen to print and mail the report to the residents and SRPC. Motion carried. Marie Halapin advised Council the movie on Friday evening begins at 7:00pm, door will open at 6:00pm and everyone is invited. M. Halapin reviewed some upcoming recreation events, noting an egg hunt, gardening sessions, community campout and tennis. President Terrell noted the indoor tennis, as well as**

**volleyball will allow Council to determine how the current modifications will withstand sports events. He also noted in the spring the remaining improvements to the facility should move forward.**

**ADJOURNMENT:**

**Motion by E. Paules, seconded by D. Sarpen to adjourn at 2005 hrs.**