

NEW FREEDOM BOROUGH COUNCIL MEETING  
February 12, 2018

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

- L. O'Brien – Council member
- A. Shemo – Council member
- K. Earll – Council member
- B. Merrill – Council member
- S. Hovis - Solicitor
- T.L. Crawford – Administrator

CALL TO ORDER

MOMENT OF SILENCE (Memory of Gene Andrews)

Council President D. Sarpen read a statement concerning the SRP issue (see attached).

PUBLIC COMMENT:

Douglas Brent of 54 S. 3<sup>rd</sup> St. provided his background and expressed his dissatisfaction with Council concerning any changes to the current law enforcement service Southern Regional Police provide to the Borough. He did commend Council on working to reduce the cost to NF. He objected to the email Council had distributed addressing some of the issues with the current service. He advised he believes the report issued by Consultant Smeal was flawed. He also questioned the cost of the consultant. B. Merrill attempted to explain the consultants report, noting it was the catalyst for moving to the PPU system which is what resulted in an equitable cost distribution. B. Merrill also noted all members had submitted a “notice of withdraw” letter. D. Brent questioned the number of officers any other department could provide, noting SRPD provides what is needed and the cost for NYCPRD’s “super cops” would be much higher. B. Merrill noted the ideal concept was consolidation of departments, which NF has supported for the past several years, and that seemed to be of interest to the other member municipalities. D. Brent continued a lengthy review of his reasons and beliefs on wanting the law enforcement service to remain as it is presently. Dave Schenoff of 40 S. Constitution expressed his concerns with any change to the current service also, noting costs are a concern but safety is the biggest concern. R. Werner of 134 E. Highland Ave. noted this is the third time that NF Council has considered withdrawing from the SRPC, and providing an alternate law enforcement service. He advised Council he objects to any change. Randy Tattersall of 10 Logan Drive requested Council reconsider the intent to withdraw and try to work on solutions for any problems with the current department. Ed Smith of 30 S. Charles advised Council he was a former Council member and supports keeping SRPD and cutting other expenses in the Borough if costs are a factor. Andy Bobby of 6 Matthews Court questioned the crime stats in the Borough and the concept of fewer police on duty is not reasonable. Kim Bosley of 18 Smith Mill Road advised she was a victim of a crime, and it was solved by SRPD and she feels confident in their abilities and wants them to remain the department that provides service to her community. Valarie Strange of 12 Washington Road voiced her support for the current police department and requested Council not change to another provider of law enforcement services. Donald Miller of 48 S. Constitution Ave. provided his background and his involvement in Rose Fire Department. He advised Council the municipalities in the SRPC should be working together, not pulling apart over issues and disagreements. He also requested Council consider holding meeting at the community center so adequate seating is available. (*community center has been rented on dates of the meeting through March*). Resident of 15643 Revere Drive stated the SRPD have always been professional and provide good service to the residents, and if costs are issue other methods should be found to save

money. Inga Andrews of 2 Hancock Court advised her late husband; a former Council member was a supporter of the SRPD and her experience with the department during an emergency was a quick response, and professional manner. Walt Cerkan of 9 Stoneridge Drive advised the public he is a former Mayor, Council member and SRPC member and he is aware of what time, effort and research goes into Council decisions, and it is all volunteer. He extended his gratitude for the time and effort they put forth for the Borough. He advised the residents they should attend the monthly Council and SRPC s which are public to keep abreast of the all issues. E. Hughes business owner of 2 E. Franklin St. reminded Council their position is elected and can change at the next election. Jen Allen of 40 Washington Rd. advised Council the SRPD are rooted in the community and that is why the community supports them. Resident of 120 S. Broad St. explained to Council she works at Peoples Bank on Main St. and the past robbery at the Bank was handled in a professional manner and the suspect was apprehended by SRPD very quickly. Betty Wilson of 106 N. Third St. also reported she believes the patrols provided by SRPD helped the bank robbery suspect be apprehended quickly and that is a comforting factor to the residents. James Unglesbee Jr of 36 S. Fourth St. expressed his concerns about the safety of EMS personnel if another law enforcement agency provides service they may be put in jeopardy. Marsha Velli of 115 Freedom Ave. requested Council consider another remedy to save money, and could consider reducing other services such mowing or snow plowing. Shawn Watkins 18 Logan Drive questioned why more information is not provided to the residents, the web page only has the minutes and they are always behind a month. President Sarpen explained the minutes are not official until they are approved at the next meeting as required by the Borough code, so they are always 1 month behind. He noted the meetings are public and the public can attend to become involved on the many issues that face the Borough not just police. Joseph Velli of 113 Freedom Ave. advised he has attended other Council meeting, and finds Council to be arrogant. He questioned how much will be saved and what is the cost of losing coverage. President Sarpen responded a firm price has not been given, hoping consolidation will be considered by all members of the SRPC. Resident of 31 Smith Mill Road advised Council they moved here from Baltimore because it was a safe community and they want it to remain that way so they support keeping the same police department. Council read the following statement; "This evening we were planning to take the next steps towards selecting a new direction for police services in New Freedom. However, with the mayor and another council member unavailable and with the passing of one council member, we only have 5 of the usual 8 people who would contribute to our discussion. Because this is an important decision I would like to postpone any further discussion until our regularly scheduled March council meeting. Until then we shall continue to develop our proposed separation plan as required by the police commission agreement. Now I would like to take a few minutes to address the public's concerns voiced here tonight and the erroneous information that is being provided to New Freedom residents and others on social media platforms. First, at our January meeting New Freedom council voted to proceed with our previously stated intent to withdraw from Southern Regional Police services. All the council members were advised of the subject matter prior to the meeting and were asked to come prepared to contribute to the discussion. The vote of the council was unanimous among the members present. The two predominant issues that were relevant to the decision were the future financial stability of the department and the personnel staffing of a small police department. There were two reasons for making the decision at the January meeting. First, we wanted to give the Southern Regional Police Commission as much notice as possible, and second, in December the police commission tasked the members to indicate their willingness to make a five-year commitment to remain with Southern Regional Police. Shrewsbury and Stewartstown indicated their willingness to make a five-year commitment. Glen Rock has not made a decision regarding their commitment.

Southern Regional Police was one of seven options considered by the New Freedom council. The remaining six options included obtaining services from Southwestern Regional Police, York Area Regional Police, Northern York County Regional Police, Pennsylvania State Police, creating a New Freedom Police department, and a hybrid of Pennsylvania State Police and a New Freedom Police Department. In a letter in the spring of 2017 York Area Regional Police declined to provide us police coverage. Because of lack of local enforcement and future potential personnel staffing issues Pennsylvania State Police were not considered a viable option. The concerns already expressed about staffing a small police department also made New Freedom Police options a non-starter. That left two options, Southwestern and Northern York. Both options will provide an in-town, 24/7, dedicated officer to New Freedom. The police would operate from the current Southern Regional Police facility. New Freedom council believes that the financial and personnel concerns we have regarding the existing Southern Regional Police department could be solved in one of two ways.

The first, and perhaps easiest, way to resolve the financial and personnel concerns would be to merge with another existing regional police department. At the November 2016 New Freedom Council meeting, an officer from Southern Regional Police Department stated that the officers in the department were supportive of a consolidation with Southwestern Regional Police Department. In October of 2017 Northern York presented a merger proposal to representatives of the Southern Regional Police member communities. Following that presentation three member communities, Shrewsbury, Glen Rock, and New Freedom, provided written statements encouraging the Southern Regional Police Commission to continue merger talks. Stewartstown stated that if merger talks were pursued they would withdraw from Southern Regional Police. Following Stewartstown lead, Shrewsbury borough resolved that they would not consider merging as an option in the near future. Under the terms of the Southern Regional Police intergovernmental agreement, nothing can be done to fix the concerns raised by New Freedom without unanimous agreement. New Freedom would encourage all Southern Regional Police member communities to reconsider a merger with either Southwestern Regional Police or Northern York County Regional Police. To ensure that all interests are represented and addressed, New Freedom believes that merger talks should include representatives from the proposed member communities, affected police unions, police chiefs, existing commission presidents, and appropriate legal counsel. To protect New Freedom's existing options for police services, merger contracts must be completed by 30 April 2019. The second way would be to grow the Southern Regional Police Department such that it increases the member base thereby providing additional funding to support additional officers. This is a more difficult path. In the recent past, three communities served have left Southern Regional while two have been added. To pursue this path the Southern Regional Police Commission should stand up a Customer Relations Committee composed of citizens, police department leadership, police union leadership, and commission members. The purpose of this committee should be to learn why communities left and to propose and execute a plan to grow new customers for Southern Regional Police Department. Growing new customers will take some time so New Freedom expects that this committee would provide a progress report every two months. This option should not be seen as an open-ended effort. Rather, it should be achieved by the end of 2019. To ensure that officers do not suffer economically, New Freedom advocates for a new one-year police union contract with four one-year options. Such a contract would allow officers to receive a pay raise while also providing a framework upon which to base cost proposals to prospective customers. To protect our existing police options with Southwestern Regional and Northern York, and as a sign of good faith, both the committee and contract need to be in place by the scheduled New Freedom

Council meeting on 14 May 2018. We hope that the citizens here today will stay engaged and seek out the correct information from knowledgeable borough officials. We also hope that you encourage your friends and associates in our neighboring communities to lobby their local governments to reconsider their positions regarding mergers so that we all can have the police force that is needed in the future.”

Councilman B. Merrill reviewed some facts concerning the issue including, but not limited to; the SRPC 5-year commitment, the 2017 letter from YARP, the Nov 2016 statement at a NF meeting that the SRPD supported a future merger, the support from Shrewsbury and GR (*their meeting minutes*) to further investigate a merger opportunity, explained the problems within the IGA requiring a unanimous vote. He also elaborated on financial stability and accountability, and the letter of withdraw that is received from GR most years and their statement of being limited to an annual fee of \$ 250,000., even with PPU's their cost is approximately \$ 270,000. He also explained the staffing guidelines by DCED and ICP noting, New Freedom Borough does not have the level of crime that warrants the current minimum staffing. Lengthy discussion and public comment of the same nature continued. Motion by B. Merrill, seconded by L. O'Brien to send a letter to Southern Regional Police Commission offering two ways to resolve New Freedom's concerns regarding finances and personnel. The first to have Southern Regional Police Commission member communities affirm support for a merger with another regional police department. Under this option all parties should be represented (including proposed member communities, affected police unions, police chiefs, existing commission presidents, and appropriate legal counsel) during merger talks. Such talks would need to result in a completed merger contract by 30 April 2019. The second way would be to grow the Southern Regional Police Department such that it increases the member base. To pursue this path the Southern Regional Police Commission should stand up a Customer Relations Committee composed of citizens, police department leadership, police union leadership, and commission members. This committee shall attempt to learn why communities left and to propose and execute a plan to grow new customers for Southern Regional Police Department. This committee must provide a progress report every two months. This option should not be seen as an open-ended effort. The success of this committee will be judged by the results achieved by the end of 2019. Additionally, a new one-year police union contract with four one-year options needs to be in place by 14 May 2018. K. Earll questioned if there are any other alternatives, in case neither task can be accomplished, and expressed some issues in the motion that he needed clarified. Solicitor Hovis explained the motion and clarified the issues. . B. Merrill noted the Borough has to follow the current IGA. Role call vote: Sarpen, Shemo, O'Brien, Merrill, Earll all voted aye. Motion carried. Council briefly discussed the SESD not renewing their contract for services. B. Merrill noted he as the only one that went to their meeting to discuss the issue. SRPD Officer Heffner expressed his dissatisfaction with the motion and the uncertainty the officers face concerning their employment, and they are not interested in a contract extension. Another SRPD officer advised Council they have families and mortgages as do all workers and are worried about their futures.

*COUNCIL DECLARED A FIVE (5) MINUTE BREAK*

NF Heritage - J. Holley requested if Council has considered the repair estimate for the shed at Freedom Green. President Sarpen advised after an on-site inspection with the building codes official and some research, it was determined a pre-built shed a few feet bigger would actually cost less than extensive repairs to the current shed/snowball stand. T.L. Crawford will have the codes official contact J. Holley for a meeting to discuss the preparation for the shed and removal of the old shed. He also noted the Freedom Fest is September 15, 2018.

TREASURER'S REPORT

February 2018- \$ 326,269.11. Motion by K. Earll, seconded by A. Shemo to approve as submitted. Motion carried.

MINUTES: (January, 2018)

Motion by L. O'Brien, seconded by K. Earll to approve the minutes as presented. Motion carried.

**REPORTS:**

B. Merrill advised the YAEIT Board made a change to their regulations and will be holding funds 7 years that not able to be remitted to a municipality. Previously the funds were held for 2 years, prior to being prorated across the County.

Rec. – K. Earll advised the 2018 parade will be on July 7, 2018.

Solicitor - S. Hovis advised the Commonwealth has enacted new legislation concerning fireworks that were not previously permitted in PA. He advised Council they may want to consider an Ordinance that establishes additional regulations such as times, etc. He also noted York County is trying to schedule a meeting concerning the citation money that was sent to the wrong municipality. He will be attending, noting New Freedom is owed \$ 51,000. that was sent in error to Shrewsbury Borough.

**BUSINESS:**

Pleasant Avenue Sewer Replacement Bids – Solicitor Hovis explained there were some items in the bid documents that lacked clarity and could be misleading. Motion by L. O'Brien, seconded by A. Shemo to reject and re-advertise all bids. Motion carried.

President Sarpen request Council review the Gannett Fleming report concerning channel improvements in the area of 8 E. Main St.to be discussed at the next Council meeting.

President Sarpen announced Council will accept letters of interest for the vacancy that exists on Borough Council. The information to be included in the letter will be posted on the Borough web site, with a submittal deadline of 12:00 pm (*noon*) on February 16, 2018. He noted the appointment will be made at the next meeting to meet the time requirements.

B. Werner of Highland Ave. expressed dissatisfaction with the condition of the roadway where Columbia Gas recently worked, and inquired if the road was going to be over laid with asphalt. President Sarpen noted it is most likely a Columbia Gas issue, and since asphalt plants are closed this time of year it is probably a temporary patch, but public works will check it.

**EXECUTIVE SESSION:**

Council convened to executive session at 2120 hrs. for a Southern Regional Police personnel issue. Council reconvened to the regular meeting at 2141 hours.

**CONTINUATION:**

Motion by B. Merrill, seconded by A. Shemo at 2144 hours, to continue the meeting to February 21 at 0830 hours to fill the Council vacancy. Motion carried.