

NEW FREEDOM BOROUGH COUNCIL MEETING
September 10, 2018

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

- L. O'Brien – Council member
- G. Lutter – Council member
- B. Merrill – Council member
- B. Terrell – Council member
- E. Paules - Mayor
- S. Hovis - Solicitor
- T.L. Crawford – Administrator

EDUCATIONAL SESSION

State representative Kate Klunk was present and provided handouts on how proposed legislation becomes enacted in Pennsylvania. She explained the roles of local government and the commonwealth's government. She reviewed what is referred to as the "fireworks law", which was actually a finance/tax mechanism, which had the fireworks portion attached to it at the end of the process. She also noted there has been complaints on how the fireworks portion of the law is impacting communities. Solicitor Hovis advised her of some of complaints he hears at municipal and police meetings. She noted there is current legislation being proposed that would amend the "fireworks law", so some changes may be forthcoming. She reminded Council, and the public that her staff is available five (5) days a week for concerns involving the commonwealth's responsibilities and to express concerns on upcoming legislation.

COUNCIL MEMBER – L. O'Brien welcomed Greg Lutter to Council as replacement for J. Blum.

PUBLIC COMMENT:

P. Wurzbacher, 37 S. Third St. questioned the status of the Koller Point development completion. Solicitor Hovis explained an agreement was drafted and signed by Keystone Homes establishing the deadline as October 31, 2018, and setting forth criteria to be met, such as weekly meetings, inspections and a payment of \$ 1500. He explained the deadline cannot be met for liquid fuels submittal, so for the Borough to adopt the roads and provide winter maintenance they must provide a payment of \$ 1500. He noted if the terms are not met the LOC will be called and the projects finished as funds permit. Council discussed the agreement, noting the process to get to this point has been lengthy and hand holding with the developer. Motion by L. O'Brien, seconded by G. Lutter to sign the agreement, noting all inspections be to the Borough engineer's satisfaction prior to adoption. Motion carried.

Ray Noll, 116 N. Constitution Ave. questioned why Council meetings are not recorded. Solicitor Hovis explained recordings are only used until the minutes are completed, then destroyed. The official record of a meeting, per Borough Code is the minutes, not recordings. President Sarpen advised R. Noll concerning log books, in southern York County and numerous York County municipalities they are not used nor required. If he is concerned why a vehicle is at a certain location contact the municipal office and inquire. B. Merrill also advised R. Noll the use of logos has diminished due to lowering resale value when the logo is removed the paint no longer matches, and since they all have municipal tags it is obvious it is an official vehicle, not private.

NF Heritage – D. Folger reminded Council the Freedom Fest in September 15, 2018 and State Representative Kate Klunk will have a booth at the Fest.

David Loftland – 3 N. Shaffer Dr. requested Council reduce his water/sewer bill due to a leak in the hot water heater at the property where he is a tenant. He explained the water heater rusted at the bottom and kept running and filling, but since it was beside the sump pump the water went into the sump pump. He noted the landlord paid for a new hot water heater, but the bill is over \$ 1600.00.

President Sarpen noted they cannot reduce the water bill since the water was used, but can reduce the sewer to the average contingent that a Borough employee inspects and verifies that the sump pump is not connected to a sewer line. Motion by L. O'Brien, second by B. Terrell to reduce the sewer to the average gallons contingent upon Borough employee verification. Motion carried.

TREASURER'S REPORT

September 2018- \$361,896.19. Motion by L. O'Brien, seconded by B. Merrill to approve. Motion carried.

MINUTES: (July, 2018)

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

REPORTS:

SEWER – President Sarpen advised the line replacement on Constitution Ave. is going slower than anticipated due to weather, and the line is 14 feet deep. He also noted the ground is still saturated and has required constant pumping of water from the pit. He advised Council Columbia Gas has met with the Borough to do a joint line (water/gas) replacement in Franklin St. in early 2019. Columbia Gas is also planning a spring line replacement on Constitution Ave. This would split the cost of final paving on both roads. The Borough will try to work with Penn Dot on a binder coat on Constitution Ave. until next spring to do the final coat. R. Ross questioned the patch on Main St. near the bank. K. Dickmyer will check but believes it is less than a year and should be a final patch in the next few months.

SRPC – President Sarpen introduced Donna Benton as the SRPC alternate to replace Jeff Blum who moved from the Borough. He reviewed her lengthy law enforcement and military career. She noted the following activity from the recent SRPC meeting: two (2) new officers have been hired, still working on proposed revisions to the IGA, a new vehicle has been purchased, pension audit noted there was not a CAO of record for the pension as required, Sargent Smuck is working on the PPU's for 2019, no recent meetings on the officers contract and the renovated ambulance was out for bid and high bid received was \$ 1,500., and was accepted. B. Merrill report there are discrepancies in the UCR and PPU's reports from the police department this month. He will try to get an explanation or have someone at the next meeting to explain the differences.

SOLICITOR – S. Hovis reported the meeting with Phoenix System, Control Systems 21, Buchart Horn and John at the wwtp went well and agreement is being drafted. S. Hovis introduced Victoria Woods, a new member of their firm and will occasionally be at the meetings

PARKS – L. O'Brien advised the office has scheduled a meeting with a Forrester to review Borough properties next week, he will advise Council when he receives a final report.

BUSINESS:

Franklin Square – President Sarpen reviewed a request for a 90-day extension on the plan. Elizabeth Wilson, 106 N. Third St. questioned how much "green space" is required and what if the current residents they do not want section #8 housing, since they heard that is what it is. Solicitor Hovis explained the open/green space is set by Borough Ordinance, as all regulations for development. He also noted section #8 or subsidizing house is under federal law, and can not be discriminated against. L. O'Brien advised this development is to be rented units at "market rate" not subsidized housing. Motion by B. Merrill, seconded by L. O'Brien to grant the 90-day extension as requested. Motion carried.

Tax Collector Request – Council reviewed the request for the Borough to pay a portion of the software she uses to track taxes. Solicitor Hovis explained when an individual chooses to run for the position they are aware of certain business cost, and this is one of them that the Borough is not responsible for. Council did not grant the request.

Cookshack – President Sarpen advised the NF Lions Club has changed their mind, and are no longer pursuing renovating the building to meet current codes at their expense. Council explained the structural issues with the building, and the annual use is 2-3 times per year. They also noted the plan that was engineered to bring the building to code was in the vicinity of \$ 400,000. Mayor Paules reminded the residents the building was built prior to any building codes and was done in stages, and removal does not prevent a new structure being placed at the park. B. Terrell noted a modular or pole style building was investigated previously and it seemed to be more affordable than renovating the current building. Motion by B. Merrill, seconded by G. Lutter to demolish the “cookshack” at a NTE of \$ 10,000. Motion carried with L. O’Brien voting opposed.

Council Position – President Sarpen advised Council the position of Vice President needs to be filled since J. Blum resigned. Mayor Paules, who cannot vote noted B. Merrill would be suited to the position since he has been involved in the SRPC and ongoing sewer capital improvements. Motion by L. O’Brien, seconded by G. Lutter to appoint B. Merrill as Vice President. Motion carried.

OTHER:

President Sarpen requested the office obtain information upgrading the general ledger software in the office. He advised Council the program being used is from 1992 and still DOS.

EXECUTIVE SESSION:

Council convened to executive session at 2014 hours for personnel issues. Council reconvened to the regular meeting at 2036 hours.

ADJOURNMENT:

Motion by L. O’Brien, seconded by B. Merrill at 2044 hours, to adjourn the meeting. Motion carried