

**Jacobus Borough Council Meeting**  
**Meeting Date: December 7, 2016**

**Call to Order**

Council President Roger Coleman called the meeting to order at 6:58 p.m.

**Opening Invocation and Pledge of Allegiance**

Invocation was offered by Council President Roger Coleman and was followed with the Pledge of Allegiance led by Councilwoman Debbie Loucks.

**Roll Call**

Cynthia Ferree called roll. Present were Council President Roger Coleman, Mayor Greg Gruendler, Council Vice President Bill Eshenour, Council members: Kathie Cavanagh, Sandy Sheffer, Lance Beard and Debbie Loucks; and Solicitor Sarah Doyle. Council member Jeff Hammers was absent.

**Minutes and Treasurer's Report**

1. Minutes of November Council meeting – ***Councilwoman Kathie Cavanagh made a motion to approve the November 2, 2016 Council meeting minutes as presented. The motion was seconded by Councilwoman Sandy Sheffer. Motion carried unanimously.***
2. Treasurer's Report – Cynthia Ferree presented the Treasurer's report for November 2016. Council President Roger Coleman inquired what the \$1,291.92 expense under Public Works was for (Line Item 448.363). Cynthia stated this is the monthly bill for the public fire hydrants. Councilwoman Debbie Loucks inquired of Income Line Item 322.50 in the amount of \$450.00 for Street Opening Permits- where was a street opening performed. Cynthia stated this was for an emergency street opening performed by The York Water Company on Ameda Drive. ***A motion was made by Councilwoman Sandy Sheffer to approve the November 2016 Treasurer's report for audit as presented. Councilwoman Kathie Cavanagh seconded the motion. Motion carried unanimously.***

**Persons on the Agenda/Public Participation**

- A. None on the agenda/No public participation at this time

**Action to be Taken**

- A. Budgeted 2016 Donations - ***Councilwoman Debbie Loucks made a motion to approve disbursement of the remaining balances budgeted in 2016 for donations to local entities as follows: \$4,500.00 to Goodwill Fire Co. #1, Inc., \$2,250.00 to Jacobus Lions Ambulance Club and \$1,000.00 to The Village Library. The motion was seconded by Councilwoman Kathie Cavanagh. Motion carried unanimously.***
- B. Refuse Ordinance/Contract Amendments - Following a brief discussion, the following motions were made:  
***1. A motion was made by Councilwoman Debbie Loucks to approve adoption of Ordinance 2016-1, "...amending Chapter 194, Solid Waste"... to include the definition of contracting collector and to authorize and establish procedures for collection of and billing for solid waste and recyclables by a contracting collector". Councilwoman Sandy Sheffer seconded the motion. Motion carried unanimously. And, 2. Councilman Lance Beard made a motion to approve the "Amended Refuse and Recycling Agreement", contingent on a correction being made to the wording in No. 2, Payment, from 'residential unit' to 'residential customer', by Stock and Leader prior to execution by Jacobus Borough and Penn Waste, Inc. The motion was seconded by Council VP Bill Eshenour. Motion carried unanimously.***
- C. Tax Levy and General Fund Budget f/Year 2017 - ***Tax Levy- A motion was made by Councilwoman Debbie Loucks to approve adoption of Ordinance 2016-2, stating the Tax Levy of 2.0 Mill f/Year 2017. Councilwoman Kathie Cavanagh seconded the motion. Motion carried unanimously. General Fund Budget- Councilwoman Debbie Loucks stated, and discussed, that since the expense for refuse-tipping fees has been removed from the Borough's budget, she would like to see a line item placed in the budget to show the Borough has budgeted funds to be placed in the general fund reserve account. Council VP Bill Eshenour stated the budget is just a plan and he is fine with adopting it as presented. Off. Mgr. Ferree stated that to change the budget now, the Borough would need to re-advertise the budget for public inspection as legally required. In addition a special Council meeting would need to be scheduled and advertised as legally required before Dec. 31, 2016 as the Borough is required to adopt a budget for the upcoming year by Dec. 31 of the current year according to the PA Borough Code. When discussion was exhausted, Councilwoman Kathie Cavanagh made a motion to approve adoption of the General Fund Budget for Year 2017 for the amount of \$527,750.00 as presented. The motion was seconded by Council Vice President Bill Eshenour. Motion carried by majority vote.***
- D. 2017 Meeting Calendar/Advertise - Following review, ***a motion was made by Councilwoman Kathie Cavanagh to approve the 2017 Meeting Calendar and Office Closings as presented, and advertise the 2017 meeting schedule as legally required. Councilwoman Debbie Loucks seconded the motion. Motion carried unanimously.***

## Borough Reports

- A. **Mayor** – Greg Gruendler presented: \*YARPD report/October 2016- 64.04 Service Hrs, 25.91 Admin Hrs., -76.78 Running Total/16 response calls as listed on “Activity Report/Alarm Responses- Rutter’s Farm Store at 35 N. Main St. on 11/13/16 and George Sheffer residence at 245 N. Main St. on 11/15/16; \*District Court report/October Receipts: \$160.92 for Vehicle Code Violations/\$1,854.72 for Local Ordinance Violations of which \$1,822.04 was for Solicitation violations; \*Fire Police (FP) Requests- ***Councilman Lance Beard made a motion to approve a request for Fire Police assistance received from Winterstown Borough for their annual drive-thru Nativity. Assistance is needed and approved for Dec. 9 from 6:00 pm. to 8:30 p.m. and Dec. 10 & 11 from 5:30 p.m. to 8:30 p.m. The motion was seconded by Councilwoman Sandy Sheffer. Motion carried unanimously;*** \*Meetings/Training: Attended YC Consortium Quarterly Mtg. on Nov. 16, York Township (YT) EMA Staff Mtg. on Nov. 17, YC Coalition f/Clean Water on Nov. 18, at which a history and current information on The York Water Company was presented by Jeff Heinz, President of the company. Greg and YT EMA met with 911 Radio Techs this morning, Dec. 7, to have the emergency radios reprogrammed.
- B. **Office Manager** – Cynthia Ferree presented: \*A Workers Compensation claim was reported to Jacobus Borough by a Volunteer Firefighter with Goodwill Fire Co. #1. Cynthia stated she informed the firefighter he must report the incident immediately to SWIF, the Borough’s insurance carrier and that the information for reporting incidents is posted at the fire company. Cynthia is waiting on a claim # from SWIF; \*Animal Control Service Response- Officer Mary Harris responded to a call on Nov. 13 for a welfare check (reported as malnourished) on a yellow lab at 149 S. Main St. Upon completion of her review of the situation, Ms. Harris reported the matter to the animal cruelty officer; \*ADA Accessible Websites- Cynthia reported Walter Tilley of Stock and Leader did a presentation at a recent Municipal Administrator meeting she attended regarding ADA accessible websites. Trolling law firms are currently sending letters to large corporations and large municipalities claiming they have a client who is going to sue because the business’ website cannot be accessed by the client as it is not ADA accessible. Cynthia stated she wanted to make Borough Council aware that this matter is something that the Borough will need to address in the future as it will most likely trickle down to small municipalities in the next year or two. Upon inquiry, Cynthia explained that ADA accessible sites would have ‘voice’ placed on the website pages behind pictures and text, which tell the user what the page contains, what the picture is, and would provide other information such as where to find tabs, help in filling out of forms, etc. Cynthia stated that the first step would be to make sure the website provider’s services are set up with the capability to be ADA accessible. The Borough would then need to find a computer technician or company that is trained to set-up ADA accessible sites. This step would be very costly to the Borough and there are not many technicians or companies trained in this matter.
- C. **Emergency Mgmt.** – Mayor Greg Gruendler presented: \*Radio & Accessories Purchase- Greg reported he was able to order the items approved for purchase at the November meeting from a different website for a total purchase cost of \$224.75, instead of the estimated cost of \$333.00.
- D. **BCO/Zoning Officer** – Mike Hammers was absent. \*No Report
- E. **JBSA** – \*No report.
- F. **Solicitor** – Sarah Doyle, Esq.: \*Columbia Gas (CG) Update- Dave Lipinski of James R. Holley & Associates, Inc. did provide some additional information as requested by Stock and Leader, and the matter is still in process; \*Act 172/Tax Exemption f/Volunteer Firefighters & EMS- Upon Council President Roger Coleman’s inquiry, Solicitor Doyle stated she would advise waiting until more information is available and the program completely set-up before voting to opt-in and participate. Solicitor Doyle stated that this is an optional program for municipalities. The program is still in the process of being set-up and requirements put in place. If Jacobus Borough would choose to opt-in, it would have to adopt an ordinance opting-in to the tax credit program. The program is for volunteers only- firefighters and EMS personnel, and will include a ‘volunteer certification’ annual program which is not yet in place. The new legislation does not go into effect until late January.
- G. **Finance & Budget** - \*No Report
- H. **Streets** – \*S. Pleasant Ave.- This matter was discussed in length. Columbia Gas (CG) had offered to give the Borough funds in the amount of \$15,000.00 to cover the cost of materials for restoring the S. Pleasant Avenue, in lieu of performing a final restoration of the street according to the regulations stated in the Borough’s “Openings and Excavations” ordinance. Borough Council was reminded that this offer is beneficial to CG in that it does not pay for the labor and equipment costs, which are more costly than the material. Off. Mgr. Ferree read an email correspondence to Borough Council that had been sent from CG to Dave Lipinski of JRH earlier in the year. The email correspondence from March 2016, stated that CG offered the funds but with the following contingencies from the Borough: “... for the Borough to agree that they (‘they’ meaning CG) will not receive any charges for inspections, now or in the future.” Later correspondences sent from CG referencing their offer to give the Borough \$15,000.00 for the cost of

material always includes entering into a “cooperative agreement” with the Borough. When discussion was exhausted, **a motion was made by Councilwoman Debbie Loucks to notify Columbia Gas of PA that Jacobus Borough is requiring the gas company to restore S. Pleasant Avenue according to the regulations in the Borough’s “Openings and Excavations” Ordinance. Councilwoman Sandy Sheffer seconded the motion. Motion carried unanimously;** \*Park St- Discussion of this tentative project for year 2017 included the possible cost to reclaim one or both portions of Park St. and additional costs for stormwater remediation. CP Roger Coleman stated he met on site with three (3) engineering firms, 1<sup>st</sup> Capital Engineering, C.S. Davidson, Inc., and Site Design Concepts and they should have proposals to the Borough by the January 4, 2017 Council meeting and the Borough will have an idea of what the project cost would be. Upon further discussion of the costs, Off. Mgr. Ferree stated the expected proposals are for engineering services related to the reclamation project, not the project itself. Discussion also included having the project bid two (2) ways- to reclaim both portions of Park St. at once and separate costs to reclaim each portion of Park St. The portions would be Park St. on the north side of Smith St. and on the south side of Smith St. The matter was tabled for further discussion until the January 4 Council meeting.

- I. **Refuse and Recycling** – \*CP Roger Coleman inquired if Borough Council wanted to reduce the number of members on the Refuse and Recycling committee since the Borough will no longer be covering this expense. Discussion resulted in leaving the committee as is.
- J. **Buildings and Grounds** – \*Park Maintenance/Cleaning for 2017- Discussion of finding someone to perform the duties previously completed by longtime resident volunteer, Judy Gregory, resulted in Council tabling this matter until March 2017. A list of duties should be compiled. Councilwoman Debbie Loucks inquired of who would handle the trash containers in the meantime, taking them to and bringing them back from the curb.
- K. **Community Events** - \*2016 Christmas Tree Lighting Ceremony- Scheduled for this Friday, December 9 @ 6:30 p.m. Councilwoman Sandy Sheffer stated everything is ready but she could use some help to set-up Friday night beginning at approx. 5:30 p.m. Councilwoman Debbie Loucks volunteered to assist Sandy; \*2017 Christmas Tree Lighting event- Mayor Greg Gruendler reported specific instructions were received from Councilman Lance Beard’s wife, Kim, that Lance was not to be involved in any way with the 2017 event- that they had to call in too many favors and it is too stressful for him.
- L. **JLS Recreation Association** - \*JLS did not have a quorum in November, therefore no meeting was held and no reports available.
- M. **Other Reports** – \*No Report

#### Unfinished Business

- A. JLS Board Vacancies – A brief biography was presented in everyone’s folders for Stephen Turner, 26 Farmington Dr. resident, who is interested in serving Jacobus Borough as a representative to JLS. Due to being out of town on an annual business trip, Mr. Turner was not able to attend tonight’s meeting but will attend the January 4, 2017 meeting to personally introduce himself. Following review and a brief discussion, **Councilwoman Debbie Loucks made a motion to approve the appointment of Stephen Turner to the JLS Recreation Association as a representative for Jacobus Borough. The appointment was approved for the following terms: December 2016, and a two (2) year term beginning January 1, 2017 and expiring December 31, 2018. The motion was seconded by Councilman Lance Beard. Motion carried unanimously.** A vacancy for a one (1) year term still needs to be filled.

#### New Business

- A. No “New Business” presented.

#### Correspondence

- A. Stock and Leader Holiday Correspondence
- B. Christmas Greetings
- C. Central Penn Business Journals
- D. Misc. Monthly, Quarterly, Annual Newsletters & Reports
- E. Greg reported he received correspondence for Paradyme Public Awareness which encourages participation on its website where you list all public facilities such as gas & water lines, storm sewer, public sewer, etc.

#### Bills

**Council Vice President Bill Eshenour made a motion to approve November 2016 General Fund expenses of \$25,324.54 and disbursement of December 2016 GF expenses-to-date of \$13,644.71 as presented in the Treasurer’s report, plus an additional \$75.00 for December-to-date expenses related to the 2016 Christmas Tree Lighting Ceremony. The motion was seconded by Councilwoman Kathie Cavanagh. Motion carried unanimously.**

**Other Business**

- A. CVP Bill Eshenour reported a young female selling gift cards knocked on his door. When he asked to see the Solicitation permit issued by Jacobus Borough she stated the driver had it. Bill proceeded to tell her she would have one to carry on her person and that she needed to go get the permit from the driver, and if they didn't have a valid permit they needed to leave town. He said she hightailed it back to the vehicle and he was sure they then left town.

**Adjournment**

***Council Vice President Bill Eshenour made a motion to adjourn the meeting at 8:59 p.m. The motion was seconded by Councilwoman Kathie Cavanagh. Motion carried unanimously.***

Jacobus Borough Council will meet next on Wednesday, January 4, 2017 at 7:00 p.m.

Respectfully Submitted,

Cynthia M. Ferree  
Office Manager/Treasurer  
Jacobus Borough Council

\*Denotes change of subject