

Jacobus Borough Council Meeting
Meeting Date: June 1, 2016

Call to Order

Council President Roger Coleman called the meeting to order at 7:00 p.m.

Opening Invocation and Pledge of Allegiance

Invocation was offered by CP Coleman and was followed with the Pledge of Allegiance led by Council Vice President Bill Eshenour.

Roll Call

Cynthia Ferree called roll. Present were Council President Roger Coleman, Mayor Greg Gruendler, Council Vice President Bill Eshenour, Council members: Jeff Hammers, Kathie Cavanagh, Sandy Sheffer, Lance Beard, Debbie Loucks; and Solicitor Steve Hovis. Jr. Council Person Kacie England was absent.

Minutes and Treasurer's Report

1. Minutes of May Council meeting – Councilwoman Debbie Loucks inquired if the advice received from Stock and Leader, in regard to a resident contacting the Borough to inquire who's liable for possible future property damage from a flying baseball to the property she just purchased at 30 Franklin St., should be included in the minutes since Council authorized Stock and Leader to respond to the resident with a formal letter at the May 4 Council meeting. Solicitor Hovis stated it would probably be a good idea to do so. Following review and discussion, *Councilwoman Kathie Cavanagh made a motion to approve the May 4, 2016 Council meeting minutes, with the addition of information as discussed above. The motion was seconded by Councilwoman Sandy Sheffer. Motion carried unanimously.*
2. Treasurer's Report – Cynthia Ferree presented the Treasurer's report for May 2016. Councilman Lance Beard inquired of the expenses for Line Item 454.371 - Rep/Maint and Line Item 454.372 - Rep/Maint-Tot Lot. Office Mgr. Ferree stated the expenses in Item 454.371 were for April & May Mowing (\$1,020.00), May Vegetation Mgmt. Treatment (\$200.00), and Plumbing repairs (\$484.75) at the Community Park. The expenses in Item 454.372 for the Stonewood Drive Tot Lot were for April & May Mowing (60.00), May Vegetation Mgmt. Treatment (\$35.00), and 51% of the completed contract with 1st Capital Engineering (\$1410.37). Cynthia stated she can provide a detailed report if he would like. Councilman Beard declined. Following the presentation of the above information, *Councilman Lance Beard made a motion to approve the May 2016 Treasurer's report for audit as presented. The motion was seconded by Councilwoman Debbie Loucks. Motion carried unanimously.*

Persons on the Agenda/Public Participation

- A. Anne Walko, York County Planning Commission (YCPC) - Ms. Walko presented an update on the YC Stormwater initiative. Her presentation included an overview of YC Waters- from known facts of what is needed and still needs to be done, to the potential next steps to meet current goals. Anne responded to inquiries from Borough Council such as, but not limited to, what is the involvement of the State Legislators, Federal mandates, current/future projects, loss of farm lands. Following discussion, Borough Council and Anne thanked each other for their time and Anne departed from the meeting.
- B. Nicco Scrivani, B.S.A. Troop #17 - Nicco presented an update and confirmed 'work' dates to complete his Eagle Scout project at Jacobus Community Park (JCP). *A motion was made by Councilman Lance Beard to approve the dates of June 18, and June 25 & 26 beginning at 2:00 p.m. for Nicco Scrivani to complete his Eagle Scout project at Jacobus Community Park. Councilman Jeff Hammers seconded the motion. Motion carried unanimously.*
- C. Lori Starz, JLS Administrator - Ms. Starz presented copies of JLS' Audit report for Year 2015 and reviewed the items listed in the report. *Councilwoman Kathie Cavanagh made a motion to approve JLS Recreation Association's Audit Report for Year 2015 as presented. The motion was seconded by Council VP Bill Eshenour. Motion carried unanimously.*
- D. Joan Locondro, Meadow St. resident - Ms. Locondro was present to inquire of, and hear discussion, related to the Borough's plans to reclaim a portion of Meadow Street on the east side of York Road. Discussion included, but was not limited to, the plan to reclaim the street and address the stormwater problem which has caused the road damage over time, grant application to be submitted to the YCCD for this project and what the grant money can be used for, timeline, acquisition of property/widening of road, right to contest the plans, and so on. Borough Council assured Ms. Locondro that the Borough has no plans to acquire property, nor can the grant be used for acquisition of property, although there is the possibility of easement agreements. If the grant is approved the monies would not be received until 2017 or even 2018. Ms. Locondro was told she cannot contest the final plan, but she has every right to ask questions; and she would need to file an official "Right-To-Know" request with the Borough to view or obtain a copy of the

final plan. The current plan is just a preliminary plan, so it is not public record until a final plan is formally approved by Borough Council. Because the subject of pothole repair continued to be a part of the grant discussion, Councilwoman Loucks clarified the grant monies can only be used to address the stormwater issue and reclaim the street, and cannot be used to fix potholes as was inferred earlier in the discussion.

Action to be Taken

- A. Maple Street Bid Documents - Roger reviewed three (3) cost proposals, two of which were sent out to Council members for review prior to tonight's meeting, for engineering services to manage a reclamation project on Maple Street. The base cost of the proposals were as follows: 1st Capital Engineering - \$6,500.00; C. S. Davidson -\$5,000.00; James R. Holley & Associates, Inc. - \$3,825.00. Discussion included differences in the items included in the proposals, satisfaction of prior engineering services performed in the Borough, Solicitor's review of the proposals, etc. Councilwoman Loucks questioned the contract start date in #2 of the "Instructions To Bidders and Technical Specifications" submitted with the C.S. Davidson proposal. The form states the contract will begin July 5, however Borough Council will not receive, review, or vote on the bids received until the July 6 Council meeting. Following discussion, *a motion was made by Councilman Jeff Hammers to approve execution of a contract with C.S. Davidson, based on the cost proposal as presented. Council President Roger Coleman will notify C.S. Davidson, Inc. they've been awarded the contract and to change the start date in #2 on the "Instructions To Bidders and Technical Specifications" in the "Invitation to Bid" documents from July 5, 2016 to July 6, 2016. Councilwoman Debbie Loucks seconded the motion. Motion carried unanimously.*
- B. 12 Valley Road Associates SDLD Plan - Office Mgr. Ferree stated Dave Lipinski, Borough Engineer, has performed a final review of the subdivision land development plans for 12 Valley Rd. Associates LP and has recommended the plans be approved for recording. *Councilwoman Debbie Loucks made a motion to approve the subdivision land development plans for 12 Valley Rd. Associates LP for recording, according to the recommendation of the Borough's Engineering Firm of Record, and authorize James R. Holley & Associates, Inc. to record the plans with the York County Recorder of Deeds. The motion was seconded by Councilwoman Kathie Cavanagh. Motion carried unanimously.*
- C. Public Notice Ad - *A motion was made by Councilwoman Kathie Cavanagh authorizing the Municipal Office Manager to place a public notice ad for the Borough's Financial Summary for year 2015 in a newspaper of general circulation as legally required. Council Vice President Bill Eshenour seconded the motion. Motion carried unanimously.*

Borough Reports

- A. **Mayor** – Greg Gruendler presented: *YARPD report/April. 2016- 46.37 Service Hrs, 18.55 Admin Hrs., -206.03 Running Total/17 response calls as listed on "Activity Report"/YARPD's access to the Borough's DVR system is complete. CIA provided very nice system for the dept. The two cameras CIA donated to YARPD have been set up so the dept. can view them in the camera room and cover a "Safe Zone" exchange area for citizens. An article regarding this was placed in the Community Courier by Sgt. Montgomery/Two (2) Alarm Responses- 34 N. Main St. on 4/29/16 and 206 Creekwood Dr. on 5-1-16/Presented YARPD Annual Audit f/Yr. 2015 which contains a breakdown of Staff & their Duties or Assignments/K-9 Program has been discontinued. The funds for the program will be used for new patrol units/All units are now carrying Narcam; *District Court report/April Receipts: \$714.70 for Vehicle Code Violations/\$366.38 for Local Ordinance Violations; *Fire Police Requests- No new requests; *JLAC responded to 169 incidents in May of which only 50 were transports; *Attended two mtgs: Police Commission Mtg. and YC Stormwater Consortium Mtg. Greg presented handouts from the Consortium mtg for the following software programs- 1. YC Stormwater Consortium BMP (Best Management Practices) Reporting Tool- this tool is designed to help MS4-regulated municipalities in York County, PA streamline their proposal and reporting process in regard to the CBPRP (Chesapeake Bay Pollution Reduction Plan) and, 2. "BayFAST", which stands for Chesapeake Bay Facility Assessment Scenario Tool. The program is approved by the US EPA to estimate nitrogen, phosphorus, and sediment load reductions (in lbs. p/year) for the TMDL WIP (total maximum daily load watershed implementation plan) process. The information will be kept in the office of the Municipal Building in a location of easy access.
- B. **Office Manager** – Cynthia Ferree presented: *May and June/July Park Reservations- Off. Mgr. inquired as to the condition of the park for the May park reservations, so she knows if the refundable security maintenance deposit (rsd) should be returned. CP Coleman reported he received a call from the party renting the large pavilion on May 22 requesting the restroom bldg. be opened. He opened it for them with the understanding the party would contact the Municipal Office the following Monday to arrange payment of the cost to use the additional facility. A call was not received. Borough Council directed Cynthia to use \$20.00 of the \$25.00 rsd for the additional facility use and return \$5.00 to the party who reserved the pavilion. With the exception of the May 22 reservation, the \$25.00 security maintenance deposits will be

returned for May reservations. Councilwoman Loucks stated the handicap toilet was clogged and there appeared to be a leak in the Kitchen ceiling as there was a lot of water on the kitchen floor in one area. However she didn't know if either matter was caused by the party who reserved the park on May 28/Reservations for June through July 9- Sign-up Sheets and reservation signs are on the meeting room table for the Buildings & Grounds Committee; *Baseball Damage Inquiry/Baseball Damage- Cynthia reported as authorized by Borough Council at the May 4 Council mtg., Stock and Leader sent a formal letter to the resident of 30 Franklin St. stating the PA 'no duty' rule/The weekend following the May 4 Council mtg. damage occurred to the property at 33 Franklin Street by a flying baseball and an inquiry was received by the Municipal Office inquiring of the correct party to contact for reimbursement of the cost of damages. At the Borough's request, Stock and Leader sent a formal letter to this property's owner stating the "no duty" rule in Pennsylvania; *Traffic Loops- Cynthia reported the traffic loops damaged by Columbia Gas (CG) in 2014 on Valley Road and the loops damaged on York Rd. in 2015 by The York Water Company (YWC) have been repaired. Before contacting Milt to schedule a repair of the loops, Cynthia had contacted both utility companies to inquire if any further street work was scheduled by either company on both of these roads, and reminded each company they are responsible for the cost of repairing the loops damaged by their company. YWC responded they have no further work scheduled in these locations. CG did not respond. Within a few days of the Municipal Office's correspondence to CG & YWC, a citizen called to report someone was cutting into the newly restored street on Valley Road. Cynthia contacted Milt to check if he was possibly at the intersection completing the traffic loop repair and he was not, however he would be in this area later performing general maintenance on Jacobus' & other local municipality's traffic signal. Milt later reported that the loops were repaired by C. M. High, Inc. who was contacted by somebody (unknown to Milt) to repair the traffic signal loops. Milt stated C. M. High, Inc. is a highly qualified contractor in signal repair. Through further research & correspondence Cynthia learned that Columbia Gas of PA set up the traffic loop repair. She spoke to CG in regard to the lack of communication with Jacobus Borough in regard to this matter as, if the Municipal Office wouldn't have received the call from the citizen, the Borough would have unknowingly scheduled the work and possibly paid for an unnecessary repair or at minimum, a service call.

- C. **Emergency Mgmt.** – *EOP/EMC- No report
- D. **BCO/Zoning Officer** – Mike Hammers presented: *Permits issued for a deck/Woodland Dr. residence, Parking pad/E. Greenbriar Dr. residence, Garage/Hidden Hill Farm Lane residence, Use Permits for Café & Realty/Grey Beards of Jacobus, Chicken Permit/S. Main St. residence; *Excess Trash at residence on Hillside Dr. resolved; *Sent invoice to property owner who has not paid a re-inspection fee to York Township.
- E. **JBSA** – *No report
- F. **Solicitor** – Steven Hovis: *No report
- G. **Finance & Budget** - *Councilwoman Sandy Sheffer will review the 2016 1st Qtr. Statements; *No questions, concerns or discussion presented in regard to the 2016 Budget-to-Actual report-to-date distributed at the May 4 Council meeting for Borough Council's review.
- H. **Streets** – *May 10 Streets Committee meeting- Committee discussed upcoming projects/Maple St. reclamation, Meadow St. Stormwater & Reclamation Grant project, and the condition of streets; *Streets Maintenance Contract- Council President Roger Coleman brought up for more discussion the idea of acquiring a "streets maintenance contract" for the purpose of the annual maintenance of Borough streets, such as pot-hole repairs and crack & street sealing. Various options & suggestions of addressing the needs of Borough streets were debated. Off. Mgr. Ferree reminded Borough Council that each year maintenance costs would need to stay below the base amounts set by the PA Dept. of Labor & Industry requiring telephonic quotes and sealed bids. Mayor Greg Gruendler stated the Streets Committee needs to come up with a plan, instead of continuing to discuss the problems with no resolutions; *Columbia Gas Mtg. Update/Reimbursable Engineering Fees- Off. Mgr. Ferree presented a summary of the meeting held with Columbia Gas of PA as found attached to these minutes/She reported she has not received the additional detail on the engineering services related to this matter from Dave Lipinski as requested by CP Coleman at the May 23 meeting with Columbia Gas. Once received she will include a cover letter and forward it to Stock and Leader for review and advice prior to sending the packet to Columbia Gas requesting payment of the reimbursable fees;; *Meadow Street (east of York Rd.) Grant Project- Upon inquiry, the Streets Committee members stated the grant does not require matching funds and the application must be submitted to the YCCD before the end of June. Councilwoman Debbie Loucks inquired who will be signing the grant application. CP Roger Coleman stated Donald Wright will be the signer. Debbie stated she thinks it is in the best interest of the Borough that the application also be signed by a member of Borough Council and suggested the Streets Committee review the app & plans. Councilman Jeff Hammers stated he would like to review the application & plans before submission, know the \$ amount being applied for, know what the grant will cover, and agreed somebody from Borough Council should co-sign the grant application.

Following further discussion, Borough Council agreed that the Streets Committee could review the plans, and if the draft plan was acceptable, CP Roger Coleman can co-sign the grant application with Donald to meet the submission deadline of June 30. Joan Locondro present in the audience made several inquiries to confirm her understanding of the project throughout the discussion, including but not limited to the following: 1. What is the Borough trying to accomplish? CP Coleman responded it is trying to address and correct the Stormwater issues on this street. It's no use to reclaim the street unless the flow of stormwater can be corrected, 2. At what point are the plans public record? Council President Roger Coleman asked Brian Dell, present in the audience, for his assistance in responding to this question. Mr. Dell stated that currently the plans in question, which will be submitted to the YCCD, are working plans only. The working plans are only the 1st step in addressing stormwater remediation and related environmental issues. The plans become public record and a Right-to-Know request can be submitted once the grant is approved and final plans are submitted to, and approved by, Borough Council; *Streets Committee will meet @ 7:00 p.m. on Tuesday, June 7.

- I. **Refuse and Recycling** – *Recycling Bin Supply Info.- Council Vice President Bill Eshenour stated that as suggested by Solicitor Hovis at the May 4 meeting, he spoke to Ed Ward of Penn Waste. Mr. Ward offered to supply a 64 Gallon recycling toter to each property. Upon inquiry, Bill stated they would be delivered in a couple of weeks. Because residents currently purchase bins and take them with them when they move, inquiries were made as to who will own the recycling toters, Penn Waste, Inc. or the resident/property owner. Bill stated he will have to check with Penn Waste for the answer to that question.
- J. **Buildings and Grounds** – *Park Improvement Committee Mtg.- Councilwoman Loucks stated no meeting was held on May 10. She stated some improvements needed at the community park include line painting on both the tennis and basketball courts and new backstops and rims. Debbie stated it was suggested that the Borough seek a sponsor for the community park; *Invoice from 1st Capital Engineering/Stonewood Drive Tot Lot - Office Mgr. Ferree presented details of the 1st invoice received from 1st Capital Engineering for work performed under the contract for the Stonewood Dr. Tot Lot/Council President Roger Coleman stated he spoke to 1st Capital Engineering and Easy-Dig Excavating, Inc. in regard to the cost of repairing the Tot Lot. By revising their original plans, 1st Capital Engineering was able to reduce its 'ballpark' figure of \$18,000.00 to \$10,000.00. Easy-Dig Excavating, Inc. submitted a verbal estimate of \$3,000.00 to \$4,000.00. According to the land survey Roger received from 1st Capital Engineering, the Tot Lot's neighbor on Farmington Drive has a fence that is encroaching approx. two (2) feet onto the Borough's property. This has caused the swale which use to direct stormwater away from the Tot Lot to be ineffective. Once this was found to be the major cause of the stormwater issue, Council President Roger Coleman authorized Jacobus Borough's Soliciting Firm of Record to send a letter to the property owner in regard to this matter, giving the property owner thirty (30) days to remove the fence from the Borough's property. Solicitor Hovis confirmed the letter was mailed today, June 1. Roger stated stakes are to be placed at the corners of the Borough's property lines by 1st Capital Engineering; *Jacobus Community Park: Possible Kitchen Ceiling Leak/Handicap Toilet - Councilman Lance Beard stated the kitchen ceiling doesn't leak and the handicap toilet is an ongoing problem. No explanation for the water on the floor of the kitchen was presented during discussion. It was noted a new handicap toilet was installed just last year, but Lance stated it still continues to clog. Possible explanations presented during discussion were: Bill- If the manifold system had only 1 pipe out that could be a problem, but it most likely would affect all of the toilets/Gooseneck problem, Greg- Vent too small. Roger stated he'll address the (clogging) issue with the Sewer Authority and see if the Authority would pick up the cost to resolve this matter.
- K. **Community Events** - *Greg reported the schedule for the BLAST is full of activities throughout the day. The BLAST will kick-off with the Color Run followed by the Children's Parade and of course culminate with fireworks at dusk.
- L. **JLS Recreation Association** – *JLS' approved minutes and financial report were forwarded to everyone by email or fax after receipt from JLS; *No other report
- M. **Other Reports** – *No report

Unfinished Business

- A. JLS Board Vacancy – *No names presented

New Business

- A. No 'New Business' to discuss.

Correspondence

- A. Central Penn Business Journals
- B. Misc. Monthly, Quarterly, Annual Newsletter & Reports

Bills

Council Vice President Bill Eshenour made a motion to approve May 2016 General Fund expenses of \$27,455.69 and June 2016 GF expenses-to-date of \$3,868.05 as presented in the Treasurer's report, and also from the General Fund, refundable security deposit expenses of \$105.00 for May Park Reservations. The motion was seconded by Councilwoman Kathie Cavanagh. Motion carried unanimously.

Other Business

- A. Brian Dell, Tax Collector - Presented a brief report on 2016 tax bill collections-to-date. Approximately 91% of Jacobus Borough's tax bills are paid, of which 89% were paid at the discount rate. Outstanding tax bills totaling approx. \$19,780.00 are due at 'Face' on June 15. Historically, up to \$5,500.00 are turned over to the York County Tax Claim Bureau at the end of each year.

Adjournment

Councilman Lance Beard made a motion to adjourn the meeting at 9:25 p.m. The motion was seconded by Councilwoman Sandy Sheffer. Motion carried unanimously.

Jacobus Borough Council will meet next on Wednesday, July 6, 2016 at 7:00 p.m.

Respectfully Submitted,

Cynthia M. Ferree
Office Manager/Treasurer
Jacobus Borough Council

*Denotes change of subject