

**MINUTES OF SPRING GROVE BOROUGH
COUNCIL MEETING
December 6, 2010**

The Spring Grove Borough Council met in Regular Session on Monday, December 6, 2010. President Richard P. Legore led those in attendance in a word of prayer and Pledge to the flag. The meeting was called to order at 7:00 PM.

BOROUGH COUNCIL PRESENT:

Michael H. Altland
Neal J. Doyle
William T. Gentzler
Richard P. Legore
Benjamin L. Spagnola
Curtis J. Spagnola
Samuel H. Spagnola

ALSO PRESENT:

Andrew N. Shaffer, Borough Manager
Dolores J. Aumen, Mayor
Melissa J. Helm, Adm. Assist/Recording Secty
Terry Myers, Mike Knouse, (C.S. Davidson, Inc.)
Ben Baltzer, (C.S. Davidson, Inc.)
Matthew Warfel, (Arro Inc.)
Dave Jones, Solicitor

BOROUGH COUNCIL ABSENT:

None

ALSO ABSENT:

Mike Knouse, (C.S. Davidson, Inc.)

Public Comment / Visitors

None

Approval of Minutes

November 2010

The minutes of the Regular Council Meeting held November 1, 2010 and the Committee Meeting held November 15, 2010 were presented as distributed. William T. Gentzler made a motion, seconded by Michael H. Altland, to approve the minutes as presented. Motion carried.

Treasurer's Report

November 2010

The Treasurer's Report for November 2010 with expenses totaling \$326,730.19 was presented for approval. William T. Gentzler made a motion to approve the report as presented, seconded by Samuel H. Spagnola. Motion carried.

President's Report

President Legore wished everyone Happy Holidays.

Mayor's Report

Parking Enforcement Officer's Report –November 2010

The Parking Enforcement Officer's Report for November 2010 was presented to Council for their review.

Southwestern Regional Police Activity Report – October & November 2010

The Police Activity Reports for October and November 2010 submitted by the Southwestern Regional Police Department were presented to Council for their review. Officer Lindenmuth was present to answer any questions.

Southwestern Regional Police Department Financial Report – October and November 2010

The Financial Report of the Southwestern Regional Police Department for the months of October and November 2010 were presented to Council for their review.

Southwestern Regional Police Department Board Minutes – October and November 2010

The Minutes of the Southwestern Regional Police Department Board meeting for the months of October and November 2010 were presented to Council for their review.

Manager's Report

Benchmark – IGAC with Harrisburg City

Manager Shaffer reported to Council that the Intergovernmental Agreement signed with Harrisburg City through Benchmark is now void. Harrisburg City pulled away from the agreement. A new agreement between Spring Grove Borough and a new municipality will need to be prepared and signed at a later date.

Liquid Fuels Review

Manager Shaffer reported to Council that the Liquid Fuels audit recently conducted recommended that the bond for Manager Shaffer be increased from \$30,000 to \$45,000.

Resignation – William Deal, SEO

Manager Shaffer informed Council that the present Sewage Enforcement Officer has resigned effective December 31, 2010 and the Borough will need to find a replacement for that position. The vacancy will be placed on the Agenda at Committee Meeting for action to be taken at the January Council meeting.

ARLE Grant – Main Street Pedestrian Improvements

Manager Shaffer reported to Council that he has submitted a state grant application for pedestrian improvements on Main Street (with the help of C.S. Davidson).

Bruce Yingling – West Central Regional Emergency Management Agency

Manager Shaffer reported to Council that he received a call from Bruce Yingling requesting that the Borough authorize the payment of the annual allocation of \$3,000.00 from the Borough to be paid by December 31st. The amount was not placed in the budget because the intergovernmental agreement was not finalized until after the 2010 budget was adopted by Council. William T. Gentzler made a motion, seconded by Neal J. Doyle, authorizing the payment of \$3,000.00 as requested. It was noted that Council is requesting an end of the year report for the expenses from the agency. Motion carried.

Solicitor's Report

Solicitor Jones reported that he had nothing new to report to Council. The items he had worked on are on the agenda for approval later in the meeting.

Engineer's Report
C.S. Davidson, Inc.Jim & Nena's Land Development Status

Engineer Terry Myers reported to Council that an inspection took place on site for the Jim & Nena's Land Development Plan. There were fifteen (15) outstanding items that need to be addressed. The Borough has been notified that those items will be completed. A new plan was to be presented at tonight's meeting but nothing arrived. At this point, there will not be a certificate of occupancy issued until all of the outstanding items are addressed.

ACNB Land Development Plan

Engineer Myers reported to Council that everything has been addressed on the plan except the Borough has not yet received a Letter of Credit from the bank.

ARRO Engineering, Inc.2010 Sewer Rehabilitation Project UpdateConsider Approval of Payment Request #5

William T. Gentzler made a motion, seconded by Samuel H. Spagnola, authorizing Payment Request #5 in the amount of \$323,097.23 to Abel Recon. Motion carried.

Consider Approval of Final Payment Request

William T. Gentzler made a motion, seconded by Curtis J. Spagnola, to approve Final Payment Request (retainage of 5%) in the amount of \$57,889.12 to Abel Recon to be cut and held until punch list items are completed. Motion carried.

Zoning & Codes EnforcementZoning Officer's Report – November 2010

The Zoning Officer's Report for November 2010 was presented to Council for their review.

Code Enforcement Report – November 2010

The Code Enforcement Report, which shows code violations issued in the month of November 2010, as well as the status of outstanding violations, was presented to Council for their review.

Planning Commission Meeting

The minutes of the Planning Commission meeting that was held on November 4, 2010 for the construction of the Adams County National Bank to be located at 221 North Main Street were presented to Council for the review.

Zoning Hearing Board Meeting – November 24, 2010

Manager Shaffer reported to Council that the Zoning Hearing Board met on November 24, 2010 to hear a request for a variance to increase the number of dwelling units at 196 North Water Street. The building is approved for one commercial business on the first floor and a residential unit on the second floor. The variance was denied because the owner could not prove a hardship.

RecreationSpring Grove Regional Parks & Recreation Center Meeting Minutes – October 2010

The minutes of the Regional Parks and Recreation Center Board meeting for the month of October 2010 were presented to Council for their review.

Consider Approval of the 2011 Spring Grove Regional Parks and Recreation Center Budget

William T. Gentzler made a motion, seconded by Neal J. Doyle, to approve the Spring Grove Regional Parks and Recreation Center budget for 2011. Motion carried.

Unfinished Business

PSAB Pension Plan Statement – Month Ending October 2010

Manager Shaffer presented the monthly report of the Municipal Retirement Trust to Council for their review.

Annual Report from PSAB MRT

Manager Shaffer presented a report from PSAB Municipal Retirement Trust for their review.

New Business

Consider Approval of the Land Development Plan for ACNB

William T. Gentzler made a motion, seconded by Michael H. Altland, to approve the Land Development Plan for Adams County National Bank contingent upon receiving the letter of credit and payment of any outstanding fees. Motion carried.

Consider Approval of Resolution No. 8-2010 – Setting Wage and Salary Schedule for 2011

Michael H. Altland made a motion, seconded by Samuel H. Spagnola, to approve Resolution No. 8-2011, setting the wage and salary schedule for 2011. Motion carried.

Consider Approval of Resolution No. 9-2010 – Establishing a Miscellaneous Fee Schedule for 2011

Michael H. Altland made a motion, seconded by William T. Gentzler, to approve Resolution No. 9-2010, setting the miscellaneous fee schedule for 2011. Motion carried.

Consider Approval of Ordinance No. 7-2010 – Establishing the Real Estate Tax Rate for 2011

William T. Gentzler made a motion, seconded by Michael H. Altland, to adopt Ordinance No. 7-2010, which establishes the Real Estate Tax Rate for 2011 at 2.84 Mills. Motion carried.

Consider Approval of the 2011 Budget

William T. Gentzler made a motion, seconded by Neal J. Doyle, to approve the Budget for 2011. Motion carried.

Consider Approval of the 2011 Holiday Calendar

Michael H. Altland made a motion, seconded by William T. Gentzler, to approve the Holiday Calendar for 2011. Motion carried.

Consider Authorizing Advertisement of the 2011 Meeting Schedule

William T. Gentzler made a motion, seconded by Benjamin L. Spagnola, authorizing the advertisement of the 2011 Meeting Schedule. Motion carried.

Consider Approval of Resolution No. 10-2010 – Terminating the 457 Plan with Security Benefit

William T. Gentzler made a motion, seconded by Michael H. Altland, approving Resolution No. 10-2010 terminating the 457 Plan with Security Benefit. Motion carried.

Correspondence

Letter from Pittsburgh City Council President-Natural Gas Drilling

Manager Shaffer presented a letter from Council President of the City of Pittsburgh requesting support of an ordinance that will ban hydro-fracturing natural gas drilling in the city of Pittsburgh. The recommendation of Solicitor Jones was not to consider enacting such an ordinance.

Letter from C.S. Davidson – Floodplain Management Ordinance Update

Ben Baltzer, C.S. Davidson, EIT, explained a letter they received from FEMA stating that all municipalities must update their Floodplain Ordinance to incorporate regulations stipulated in the National Flood Insurance Program (NFIP). Those updates were completed. C.S. Davidson has been informed by FEMA that any Floodplain Ordinance that was adopted in accordance with the DCED “Suggested Provisions” is not compliant with those Federal Regulations. The “Suggested Provisions” issued by DCED omitted certain Federal Regulations in spite of the Explanatory Notes indicating that all provisions required by Federal and State regulations were included. These errors were corrected in December 2009, after the municipalities adopted their updated Ordinance. Now, FEMA has indicated that at any time, they can contact each municipality, inform them that their Floodplain Ordinance is not compliant with Federal Regulations and that they have one year to fix it before being penalized. Solicitor Jones recommended that the Borough wait until they are notified that they need to update their ordinance, in which time they will have one year to come into compliance.

York County Planning Commission – Traffic Study Fees

Manager Shaffer presented correspondence to Council from York County Planning Commission regarding traffic engineering fees for traffic studies for 2011.

At this time, Council convened into executive session at 8:03 PM to discuss a personnel matter and reconvened at 8:28 PM.

Personnel Matter

William T. Gentzler made a motion, seconded by Neal J. Doyle, approving Christmas Bonus checks in the total amount of \$1,800.00 to be distributed among the Borough employees. Motion carried

Hearing no further business, the meeting was adjourned until the Committee Meeting to be held Monday, December 20, 2010 at 7:00 P.M.

Adjournment was at 8:30 PM

Respectfully submitted,

Melissa J. Helm
Recording Secretary