

**MINUTES OF SPRING GROVE BOROUGH  
COUNCIL MEETING  
January 5, 2009**

The Spring Grove Borough Council met in Regular Session on Monday, January 5, 2009. 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 P.M.

**BOROUGH COUNCIL PRESENT:**

Michael H. Altland  
James G. Decker  
William T. Gentzler  
Keith R. Kelly  
Richard P. Legore  
Benjamin L. Spagnola

**ALSO PRESENT:**

Andrew N. Shaffer, Borough Manager  
Dolores J. Aumen, Mayor  
Terry A. Myers, P.E. (C.S. Davidson, Inc.)  
Matthew Warfel, (Arro Inc.)  
Melissa J. Helm, Adm. Assist/Recording Sect  
David A. Jones, II, Solicitor

**BOROUGH COUNCIL ABSENT:**

Neal J. Doyle

**ALSO ABSENT:**

Mike Knouse, (C.S. Davidson, Inc.)  
Wayne A. Smith, Zoning/Codes Officer.

**Public Comment / Visitors**

None

**Approval of Minutes**

December 2008

The minutes of the Regular Council Meeting held December 1, 2008, and the Committee Meeting held December 15, 2008 were presented as distributed. William T. Gentzler made a motion, seconded by James G. Decker, to approve the minutes as presented. Motion carried.

**Treasurer's Report**

December 2008

The Treasurer's Report for December 2008 with expenses totaling \$162,318.83 was presented for approval. James G. Decker made a motion to approve the report as presented, seconded by Keith R. Kelly. Motion carried.

**President's Report**

None

**Mayor's Report**

Parking Enforcement Officer's Report – December 2008

The Parking Enforcement Officer's Report for December 2008 was presented to Council for their review.

Southwestern Regional Police Activity and Financial Reports – November 2008

The Police Activity and Financial Reports for November 2008 submitted by the Southwestern Regional Police Department were presented to Council for their review. Chief Bean was present to review the report and to answer any questions.

Southwestern Regional Police Department Board Minutes-November & December 2008

The minutes of the Southwestern Regional Police Department Board minutes for November and December 2008 were presented to Council for their review.

**Manager's Report**Zoning Text Addition

Manager Shaffer reviewed with Council a proposed draft of additional text to the Borough's zoning ordinance. It defines a medical or dental facility, updates the Table of Uses, and outlines any Additional Requirements. William T. Gentzler made a motion, seconded by Michael H. Altland, to proceed with the process to add the conditional use requirements to the zoning ordinance text for a medical or dental facility in Low Density Residential and Town Residential Zones. Motion carried. Solicitor Jones asked Council to review the conditions for a special exception for possible inclusion with this addition.

Borough Office Property Damage

Manager Shaffer reported to Council that a tractor trailer attempted to turn around in the municipal office parking lot on December 23<sup>rd</sup> at approximately 10:30 PM. An estimate was obtained from I.B. Abel for the replacement of the parking lot lamp posts in the amount of \$3,900. Southwestern Regional Police are investigating the incident in an effort to apprehend the trucking company responsible.

November and December Sanitary Sewer Flush/Televise

Manager Shaffer reported to Council that Utility Services completed the flushing/televising of the sewer lines in the southeastern portion of the North loop. There were a few problem areas discovered. The biggest problem area was on South Water Street near Glatfelter's. The camera could not pass through at one point due to broken areas in the line.

2009 Jackson Street Improvements

Manager Shaffer reported to Council that engineer Mike Knouse and he met with PennDOT. They were informed that PennDOT is planning to rehabilitate Jackson Street by paving and upgrading curb ramps. As a result, ADA requirements must be met. PennDOT will be responsible for ramps that cross Jackson Street. They have requested that Spring Grove Borough be responsible for the costs wherever sidewalks are directed across Borough's streets. It is estimated that the cost will run approximately \$18,000. Since that money is not in the 2009 budget, the consensus of Council is to do nothing at this time.

2008 End of Year Financial Report

Manager Shaffer reviewed the end of the year financial report for 2008 with Council. It was noted that the General Fund Budget came within \$5,000 of the amount budgeted.

**Engineer's Reports**  
**C.S. Davidson, Inc.**

2009 Street Improvement Projects

Engineer Myers requested authorization to begin the planning process now for the 2009 Street Improvement projects, especially since contractors are now actively looking for work. He recommended that Council consider Cherry and Constitution Avenues. He also recommended that an escalator clause be placed in the contract for the purpose of price fluctuations in paving costs. Michael H. Altland made a motion, seconded by Keith R. Kelly, authorizing C. S. Davidson, Inc. to proceed with preliminary planning work for the 2009 Street Improvement projects. Motion carried.

Street Maintenance – Long Range Plan

Engineer Myers recommend to Council that it would be beneficial for the Borough to project the street maintenance needs over the next five years.

**ARRO Engineering**

Sewer Replacement Project

Engineer Matt Warfel reported to Council that the design of the sanitary sewer replacement project has been effectively completed for months, but the planning process with DEP has been lengthy. DEP is now requiring a resolution from the Borough amending their ACT 537 plan to include the sanitary sewer main replacement project.

**Solicitor's Report**

Right to Know Law

Solicitor Jones advised Council that he will be working on the revised Right to Know Law for next month's meeting.

Spring Grove Baseball Field

Solicitor Jones informed Council that he has been contacted by First Capital Engineering regarding the specifications for the Spring Grove Baseball field. They have requested that Solicitor Jones review the specifications and return them by January 15<sup>th</sup> so that they can make those changes and place the project out for bid by the end of January, 2009.

EMA Intergovernmental Agreement

Solicitor Jones reported to Council that he still has not heard from Paradise Township's solicitor. He has talked to Bruce Yingling (EMA Director) and has learned that Jackson Township spends approximately \$5,000 per year on emergency management. If Paradise and Spring Grove Borough join, that amount would be divided and reduce the cost to each of the municipalities. His concern was the cost after five years and if the department should grow. The agreement is very straight forward; each municipal is going to share the emergency management coordinator's services and split the cost.

### **Zoning & Codes Enforcement**

#### Zoning Officer's Report – December 2008

The Zoning Officer's Report for December 2008 was presented to Council for their review.

#### Code Enforcement Report – December 2008

The Code Enforcement Report, which shows code violations issued in the month of December 2008, as well as the status of outstanding violations, was presented to Council for their review.

### **Recreation**

#### Community Center Board Meeting Minutes – December 2008

The minutes of the Community Center Board meeting for the month of December 2008 were presented to Council for their review.

#### Regional Recreation Commission Board Meeting Minutes – November 2008

The minutes of the Regional Recreation Commission Board meeting for the month of November 2008 were presented to Council for their review.

#### Consolidation Meeting Minutes – November 2008

The minutes of the Consolidation meeting for the month of November 2008 were presented to Council for their review.

### **Unfinished Business**

#### PSAB Pension Plan Statement – Month Ending November 2008

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

#### Approval and Authorize the Signing of the 4<sup>th</sup> Amendment to the Articles of Agreement

James G. Decker made a motion, seconded by Michael H. Altland, authorizing the necessary signatures to the Fourth Amendment to the Articles of Agreement with Southwestern Regional Police Department. Motion carried.

### **New Business**

#### Approval of the Rental Properties Maintenance and Housing Occupancy Ordinance Initial Forms

James G. Decker made a motion, seconded by Michael H. Altland, to approve the Rental Properties Maintenance and Housing Occupancy Ordinance Initial Forms. Motion carried with nay votes noted from William T. Gentzler and Benjamin L. Spagnola.

Approval of the Appointment of the Code Official, Deputy Code Official & Technical Officer for the Rental Properties Maintenance and Housing Occupation Ordinance

Keith R. Kelly made a motion, seconded by Michael H. Altland, to approve the appointment of Andrew Shaffer as the Code Official, Wayne Smith as the Deputy Code Official and Stephanie Becker as the Technical Officer for the Spring Grove Property Maintenance Ordinance. Motion carried with nay votes noted from William T. Gentzler and Benjamin L. Spagnola.

Approval of the Appointments to the Board of Appeals for the Rental Properties Maintenance and Housing Occupation Ordinance & Property Maintenance Ordinance

Michael H. Altland made a motion, seconded by James G. Decker, to approve the appointment to the Board of Appeals for the Rental Properties Maintenance and Housing Occupation Ordinance and Property Maintenance Ordinance. Motion carried with nay votes noted from William T. Gentzler and Benjamin L. Spagnola.

<u>Name</u>	<u>Initial Term</u>	<u>Representation</u>	<u>Position</u>
Dolores J. Aumen	2 Years	Mayor / Property Owner	Alternate
Glenn Lauchman	2 Years	Landlord	Alternate
J.R. McManus	2 Years	Landlord	Member
John Bailey	1 Year	Property Owner	Member
Paul Rohrbaugh	3 Years	Property Owner	Member

Approval of the Appointment of Andrew Shaffer as the Right to Know Officer

William T. Gentzler made a motion, seconded by Keith R. Kelly, to appoint Andrew Shaffer as the Right to Know Officer for the Borough. Motion carried.

Approval of Resolution 1-2009-Amending the Borough's Act 537 Plan to Include the 2009 Sanitary Sewer Main Replacement

Michael H. Altland made a motion, seconded by William T. Gentzler, to approve Resolution 1-2009, which amends the Borough Act 537 Plan to include the 2009 Sanitary Sewer Main Replacement project. Motion carried.

Approval of the 2009 Appointments

James G. Decker made a motion, seconded by Michael H. Altland, to approve the various individual appointments for the Borough for 2009. Motion carried.

<u>Name</u>	<u>Term</u>	<u>Board or Commission</u>
Daniel L. Staub	2 Years***	Southwestern Regional Police Board
Paul Sterner	4 Years	Spring Grove Regional Parks and Rec Center
William Gentzler	2 Years	Spring Grove Regional Parks and Rec Center
Robert Whyland	5 Years	Shade Tree Commission

\*\*\* Interim - Until seat can be filled

**Adjournment**

Hearing no further business, the meeting was adjourned until the Committee Meeting to be held Monday, January 19, 2008 at 7:00 P.M.

Adjournment was at 8:00 PM

Respectfully submitted,

Melissa J. Helm, Recording Secretary