

**GLEN ROCK BOROUGH  
COUNCIL MEETING MINUTES  
August 19, 2009**

<b>Present:</b>	Council Members:	Lucy Cadwallader Dan Eadie* Jane Glatfelter Kenneth Krebs John Peters Richard Shiles Kathleen Wells*
	Solicitor:	Michelle Pokrifka
	Borough Engineer:	David Lipinski
	Secretary:	Ann Merrick
	Visitors:	Five Visitors

**The meeting was Called to Order** at 7:08 P. M. by Council member L. Cadwallader beginning with the pledge to the flag followed by a moment of silence.

**Announcements**

Council member L. Cadwallader announced that Council would be recessing for Executive Session after the Borough Engineer's Report to discuss litigation.

**Person's on the Agenda**

1. Sid McWilliams – 53 Glen Avenue  
Mrs. McWilliams addressed Council with her concerns with Four - Wheeled vehicles driving on the street and on private property. When the vehicles are driven on dry grass, they make a lot of dust and dirt. She asked if the borough had any regulations or laws pertaining to the use of four-wheelers. Council said they would investigate her concerns.

**Borough Engineer's Report**

1. D. Lipinski provided an update on the Growing Greener II Grant Application. D. Lipinski requested a motion to amend the application request from \$233,750 to the original amount of \$206,250. The motion needs to be documented in a letter on GRB Letterhead and sent to Rick DeVore. The July 2010 deadline has not been confirmed by the Governor's Office, so at this point DEP does not know when the Growing Greener II program will cease. R. Shiles moved to amend the application request from \$233,750 to

- the original amount of \$206,250, and submit in letter form to Rick DeVore, seconded by J. Peters. Motion carried.
2. The engineer is awaiting a response from Eric Johnston, engineer for the Glen Rock Vista Plan; time extension for action on the plan will expire in September.
  3. Council should process the non-building declaration and forward to DEP for approval of the Grove Subdivision Plan. The plan will not be signed and recorded until the outstanding conditions are met by the applicant. K. Krebs moved to process the non- building declaration and forward to DEP for approval of the Grove Subdivision Plan, seconded by J. Peters. Motion carried.
  4. The engineer presented bids for the Wolf Street project and suggested rejecting the bid from Womex; their bid was inconsistent with the other bids, because they failed to use addendum #2 as required. R. Shiles moved to reject the bid from Womex due to inconsistency with other bids and failure to use addendum #2, seconded by J. Peters. Motion carried. Engineer suggested awarding the contract to Stewart & Tate for \$32,109.76 pending all necessary paperwork being completed. R. Shiles moved to award the contract to Stewart & Tate for \$32,109.76 pending all necessary paperwork being completed, seconded by J. Peters. Motion carried. K. Krebs moved to use Liquid Fuel Funds for the Wolf Street project, seconded by R. Shiles. Motion carried.
  5. The engineer presented bids for the Terrace Heights project and suggested awarding the bid to H & H General Excavating for \$5,575.00. J. Peters moved to award the bid for the Terrace Heights project to H & H General Excavating for \$5,575.00, to be paid with Liquid Fuel Funds, seconded by R. Shiles. Motion carried.
  6. The engineer presented information and discussed Mitch Weaver's opinion regarding the School Street retaining wall. D. Lipinski recommended that Council have a structural engineer evaluate the retaining wall and offer their recommendations on repairing or replacing the wall. Holley's office could submit a grant application for approximately \$1000.00, to DCED. D. Lipinski communicated to council that the wall has moved since earlier this year. L. Cadwallader moved to review the cost of structural engineers and for Council to review possible alternate access routes to/from the School Street property, seconded by J. Peters. Motion carried. D. Lipinski will provide names of structural engineers to Council.

\*D. Eadie arrived for the meeting at 8:02 P. M.

- D. Lipinski recommends that Council review possible structural engineer fees, to evaluate the condition of the wall and current structural stability, to provide recommendations for repairing and/or replacing the wall including construction cost estimates. R. Shiles amended the previous motion to include that if the structural engineers estimate is less than \$4000.00, Council should authorize acceptance of their proposal; if the estimate is more than \$4000.00, council will review at their next meeting, seconded by J. Peters. Motion carried.
7. The York Housing Authority has completed their project on Hanover Street.
  8. The engineer provided an update on the new FEMA maps and Ordinance. Council will be able to adopt their new floodplain management ordinance at their September Council meeting.
  9. The engineer stated that although the owner of Lot #3 is responsible to maintain the storm water facility in the Colonial Meadows development, according to a conversation with Eric Jordan, YCCD, the basin has not been converted to the permanent storm water facility, and it remains a temporary E & S sediment basin until the basin is converted and the permit is closed out. Council discussed. K. Krebs moved to authorize the solicitor to write a letter to G. Spencer and the Mumley's regarding care of the storm water basin, Lot #3, seconded by R. Shiles. Motion carried.
  10. The engineer discussed the retaining wall project on Lester Court with Eric Jordan, YCCD. Eric Jordan has requested that the Borough write a letter to Mr. Matthews expressing concern about the completion time of the project and the need to stabilize the disturbed areas and send a copy of the letter to Eric Jordan.
  11. Council discussed a possible donation of land by Cecil Artrip to the Borough with the engineer. Holley's office completed a Phase I Environmental study of the proposed donation lot many years ago. At that time a Phase II, Geotechnical study was suggested as the next step if Council was considering the land donation, but at that time the cost was prohibitive, \$5,000 to \$10,000 dollars. The engineer cautioned the Borough to be cautious. The cost of a Phase II study is still prohibitive, so Council will not accept this donation of land.

\*D. Lipinski left the meeting at 8:36 P. M.

\*\* Council recessed to Executive Session at 8:37 P. M. to discuss litigation.

\*\*The council meeting resumed at 8:53 P. M.

### **Solicitor's Report**

1. L. Cadwallader moved to authorize the solicitor to meet with Borough Secretary, review documents, and deliver documents, if necessary, as subpoenaed by the Grand Jury of the United States District Court, seconded by R. Shiles. Motion carried.

### **Planning Commission Report**

1. The GR Planning Commission discussed and recommends adopting a resolution establishing a three year moratorium on small wind energy systems. Council discussed. R. Shiles moved to approve the GR Planning Commission's recommendation and adopt a Resolution establishing a three year moratorium on small wind energy systems, seconded by K. Krebs. Motion carried.
2. The GR Planning Commission hopes to review the GR Vista Plans at their September meeting.

### **Approval of the Minutes**

1. Council requested that the minutes reflect why a council member arrives late to the meeting, if the reason is related to their Borough position.
2. R. Shiles moved to approve the July 14 Work Session Minutes, seconded by K. Krebs. Motion carried.
3. J. Peters moved to approve the July 15 Council Minutes, seconded by K. Krebs. Motion carried.

### **Zoning Officer's Report**

1. The ZO provided a monthly summary report for July, 2009, is available for review in the Borough Office, if requested. The secretary provided the following summary: there were three zoning permits issued and three certificates of occupancy issued; there are three new zoning violations and one existing zoning violation; there were three requests for determinations/questions. CAI completed seven Rental inspections.

### **Solicitor's Report continued**

2. The solicitor provided a copy of Resolution 2009 – 9, adopting the state municipal records manual, establishing a policy for the recording of meetings and destruction and retention of meeting tapes. R. Shiles moved to adopt Resolution 2009 – 9, adopting the state municipal records manual, establishing a policy for the recording of meetings and destruction and retention of meeting tapes, seconded by K. Krebs. Motion carried.

3. The solicitor explained that the court states that since recreation fees are part of SALDO, recreation fees must be amended by ordinance.

\*K. Wells arrived for the meeting at 9:15 P. M, and took over the meeting as President of Council.

- After some discussion, K. Krebs moved to increase the Glen Rock Recreation Fees to \$2500.00 by advertising an amended ordinance, for adoption at the September meeting, seconded by L. Cadwallader. Motion carried.
4. DCED made two minor changes to the borough's floodplain ordinance. The solicitor has forwarded the borough's ordinance to YCPC for review on September 1, 2009, for possible adoption at the September Council Meeting.
  5. Council discussed the weed ordinance issue. Council would like to educate the residents to maintain their properties. Council stated that weed/grass letters should be sent to obvious violators' of the ordinance.
  6. The solicitor will check to see if Ordinance 460 was advertised in June or July, and will advertise if necessary, for adoption at the September meeting.

### **Special Project's Report**

1. Council discussed the graffiti damage at the park, and whether the violators were apprehended. The Recreation Board will be submitting a claim for damages.
2. The new sign at 3 Main Street should be in place soon. The Eagle Scout has received many donations toward completion of his project.
3. The summer park program had an average of 45 children every day.
4. The next Sesquicentennial meeting is September 17, 2009 at 7P. M.
5. The Borough is compiling information for the fall newsletter.
6. The owner of 64 Baltimore Street should have installed super silt fence prior to beginning stump removal at the property.
7. L. Cadwallader attended a Water & Sewer Authority meeting and expressed concern for the cost of their proposed upgrades. She questioned whether the board is following requirements for competitive bidding process and suggested that Council send a letter to the Water and Sewer Board, stating the need for competitive bidding procedures. M. Pokrifka stated that Council appoints the Water & Sewer Board members, and they have their own solicitor who advises them of correct procedures. The Borough Solicitor stated she would email Mike Craley to touch base.
8. SRP has purchased a truck to haul the ATV. Chief Childs has been on desk duty; he hurt his thumb and may need surgery.

9. NIMS training is available on line. Council members must take level 100 and 700.
10. **L. Cadwallader** participated in a First Aid and CPR class through the Ambulance Club at no cost to the Borough.

### **Mayor's Report**

No report.

### **Work Supervisor's Report**

1. The Work Supervisor requested a motion to request a traffic study to possibly initiate "No Parking" on Terrace Heights. K. Wells moved to request a traffic study to possibly initiate "No Parking" on Terrace Heights, seconded by J. Peters. Motion carried.

### **Secretary's Report**

1. The secretary requested a motion to transfer \$1600.00 from Rental Fund into General Fund to earn higher yield of interest. K. Krebs moved to transfer \$1600.00 from Rental Fund into General Fund to earn higher yield of interest, seconded by R. Shiles. Motion carried.
2. The secretary requested a motion to accept and authorize the Work Supervisor to sign the 2009-2010 Municipal Winter Agreement program with Penn Dot. K. Krebs moved to accept and authorize the Work Supervisor to sign the 2009-2010 Municipal Winter Agreement program with Penn Dot, seconded by J. Peters. Motion carried.
3. The secretary reminded Council that the Borough received a reminder from Penn DOT to complete yearly maintenance on the Traffic Signal located in GRB.
4. The secretary explained to Council that the five month CD matured on July 23, 2009; she discussed several options with Finance Chair and they decided to place \$50,000 in a seven month CD and \$51,023.59 in a one month CD. The secretary requested a motion for this action. J. Peters moved for Council's approval to divide the funds, seconded by K. Krebs. Motion carried. The secretary stated that the one month CD matures on August 24, 2009 and asked Council to decide if the funds should remain in a one month CD. J. Peters moved to maintain a one month CD, seconded by R. Shiles. Motion carried.

### **Ordinance/Refuse Report**

No report.

### **Personnel Report**

1. Next meeting is October 15, 2009.

### **Building/Property Report**

No report.

### **Police Commission/Public Safety Report**

1. Written report for June, 2009 is available for review in the Borough Office. For comparison purposes, the following is a list of "Calls for Service" for each municipality:
  - a. Glen Rock Borough – 62
  - b. New Freedom Borough – 102
  - c. Shrewsbury Borough – 121
  - d. Southern School District – 12
  - e. Railroad Borough – 21
  - f. Other jurisdictions – 6The specific breakdown for Glen Rock Borough's "Calls for Service" includes the following: Citations, 7; written warnings, 6; summary arrests, 6; and criminal arrests, 3.
2. County of York, 911, has an Open House planned for October 3, 2009. J. Peters would like this information placed in the borough newsletter.
3. J. Peters plans to attend the Wrightsville Borough Council Meeting on September 14 beginning at 6:30 P. M. to ask their Council members about police services.

\*M. Pokrifka left the meeting at 10:35 P. M.

### **Finance Report**

1. K. Wells moved to pay the following invoices over \$500.00 through the General Fund, seconded by R. Shiles:

a. CGA Law Firm	\$1581.18
b. Code Administrators, Inc.	915.25
c. James R. Holley & Associates, Inc.	5998.33
d. Kim McCullough Contractor, Inc.	8590.00
e. York Newspaper Company	546.00

Motion carried.

2. K. Wells moved to pay Stewart & Tate, Inc. \$3999.50 from the Liquid Fuels Fund, seconded by K. Krebs. Motion carried.

### **President's Report**

1. President K. Wells discussed providing education to residents and property owners and how this action is beneficial to the Borough.

R. Shiles moved to adjourn the Council Meeting at 10:45 P. M., seconded by D. Eadie. Motion carried.

### **Summary of Motions**

1. R. Shiles moved to amend the application request from \$233,750 to the original amount of \$206,250, and submit in letter form to Rick DeVore, seconded by J. Peters. Motion carried.
2. K. Krebs moved to process the non- building declaration and forward to DEP for approval of the Grove Subdivision Plan, seconded by J. Peters. Motion carried.
3. R. Shiles moved to reject the bid from Womex due to inconsistency with other bids and failure to use addendum #2, seconded by J. Peters. Motion carried.
4. R. Shiles moved to award the contract to Stewart & Tate for \$32,109.76 pending all necessary paperwork being completed, seconded by J. Peters. Motion carried.
5. K. Krebs moved to use Liquid Fuel Funds for the Wolf Street project, seconded by R. Shiles. Motion carried.
6. J. Peters moved to award the bid for the Terrace Heights project to H & H General Excavating for \$5,575.00, to be paid with Liquid Fuel Funds, seconded by R. Shiles. Motion carried.
7. L. Cadwallader moved to review the cost of structural engineers and for Council to review possible alternate access routes to/from the School Street property, seconded by J. Peters. Motion carried.
8. R. Shiles amended the previous motion to include that if the structural engineers estimate is less than \$4000.00, Council should authorize acceptance of their proposal; if the estimate is more than \$4000.00, council will review at their next meeting, seconded by J. Peters. Motion carried.
9. K. Krebs moved to authorize the solicitor to write a letter to G. Spencer and the Mumley's regarding care of the storm water basin, Lot #3, seconded by R. Shiles. Motion carried.
10. L. Cadwallader moved to authorize the solicitor to meet with Borough Secretary, review documents, and deliver documents, if necessary, as



- subpoenaed by the Grand Jury of the United States District Court, seconded by R. Shiles. Motion carried.
11. R. Shiles moved to approve the GR Planning Commission's recommendation and adopt a Resolution establishing a three year moratorium on small wind energy systems, seconded by K. Krebs. Motion carried.
  12. R. Shiles moved to approve the July 14 Work Session Minutes, seconded by K. Krebs. Motion carried.
  13. J. Peters moved to approve the July 15 Council Minutes, seconded by K. Krebs. Motion carried.
  14. R. Shiles moved to adopt Resolution 2009 – 9, adopting the state municipal records manual, establishing a policy for the recording of meetings and destruction and retention of meeting tapes, seconded by K. Krebs. Motion carried.
  15. K. Krebs moved to increase the Glen Rock Recreation Fees to \$2500.00 by advertising an amended ordinance, for adoption at the September meeting, seconded by L. Cadwallader. Motion carried.
  16. K. Wells moved to request a traffic study to possibly initiate "No Parking" on Terrace Heights, seconded by J. Peters. Motion carried.
  17. K. Krebs moved to transfer \$1600.00 from Rental Fund into General Fund to earn higher yield of interest, seconded by R. Shiles. Motion carried.
  18. K. Krebs moved to accept and authorize the Work Supervisor to sign the 2009-2010 Municipal Winter Agreement program with Penn Dot, seconded by J. Peters. Motion carried.
  19. J. Peters moved for Council's approval to divide the funds, seconded by K. Krebs. Motion carried.
  20. J. Peters moved to maintain a one month CD, seconded by R. Shiles. Motion carried.
  21. K. Wells moved to pay the following invoices over \$500.00 through the General Fund, seconded by R. Shiles:
 

a. CGA Law Firm	\$1581.18
b. Code Administrators, Inc.	915.25
c. James R. Holley & Associates, Inc.	5998.33
d. Kim McCullough Contractor, Inc.	8590.00
e. York Newspaper Company	546.00

 Motion carried.
  22. K. Wells moved to pay Stewart & Tate, Inc. \$3999.50 from the Liquid Fuels Fund, seconded by K. Krebs. Motion carried.
  23. R. Shiles moved to adjourn the Council Meeting at 10:45 P. M., seconded by D. Eadie. Motion carried.

**Respectfully submitted,**

Ann E. Merrick  
Secretary/Treasurer