

**GLEN ROCK BOROUGH**  
**Borough Council Meeting**  
**February 15, 2012**

|                 |                  |   |
|-----------------|------------------|---|
| <b>Present:</b> | Council Members: | Rollin Apgar<br>Lucy Cadwallader<br>Eugene Delahanty<br>Richard Shiles<br>Carleen Warner<br>Benjamin Wetzel<br>Doug Young |
|                 | Engineer:        | David Lipinski  |
|                 | Solicitor:       | Michelle Pokrifka   |
|                 | Mayor:           | Ronald McCullough, Jr.  |
|                 | Secretary:       | Ann Merrick   |
|                 | Visitors:        | Twenty-four visitors (signed-in)  |

**The meeting was Called to Order** at 7:00 P.M. by Council President R. Shiles, with the pledge to the flag.

**Persons of Agenda**

1. Kathleen Wells, member of the GR Recreation Board: present proposals for park fence repairs and questions for Council.  
Kathy Wells reviewed several quotes obtained by the GR Recreation Board for repairing damages to the new baseball outfield fence at the park. Council contacted their insurance provider, and the damages would be covered, with a five hundred dollar deductible, but unknown future impact on insurance coverage for the Borough. Council asked the engineer for his opinion. D. Lipinski provided the following comments: based on his analysis, which includes numerous assumptions, the fence would be unstable with a 60mph wind, assuming the fence is free standing with no soil bearing capacity. All assumptions would require verification prior to pursuit of legal action, if necessary, such as soil bearing capacity, pole length, concrete mass, etc. The soil bearing capacity would most likely make the situation stable. The engineer further discussed the project with Security Fence Company, and they indicated typically using SS40 three inch posts and would set these posts in a twelve inch diameter hole, four feet deep; if any netting or signs were to be installed onto the fence, then the pole diameter and foundation size would increase. The GR Baseball Team installed netting onto the outfield fence to prevent glare for both the

pitcher and the batter's, without requesting permission from the GR Recreation Board and/or Borough Council. Council discussed whether the obtained bids were adequate or whether the Borough should authorize the engineer to write specifications and re-bid the repairs of the damaged fencing. B. Wetzel moved to accept all bids provided by the GR Recreation Board, and authorize Springfield Contractor's to complete proposed repairs, seconded by C. Warner. President R. Shiles asked for any further discussion. Council discussed the following concerns: submitting all bids to the insurance company, who was responsible for paying the Borough's deductible, Springfield Contractor's posts are made of steel, which can rust. R. Apgar, C. Warner, and B. Wetzel voted in favor of the proposed motion; E. Delahanty, L. Cadwallader, D. Young, and R. Shiles voted against the motion. The motion did not pass. After additional discussion of specifics related to the fence project, D. Young moved to authorize D. Lipinski to write new bid specifications for repairing the outfield baseball fence, seconded by L. Cadwallader. Motion carried.

Kathy Wells asked the following questions:

1. When should the Recreation Board expect to receive their 2012 donation from Council? R. Shiles moved to approve payment of \$7000.00 to the GR Recreation Board, seconded by L. Cadwallader. Motion carried.
  2. For the 2012 Summer Park Program, must returning assistant directors complete new background checks? The solicitor stated that the municipality may make this determination, the Pennsylvania State Police Criminal Record Check report must be less than one year old, and the FBI Clearance may not be necessary to complete every year. Council indicated that the dates of previous background checks must be reviewed prior to informing the Recreation Board of which background checks are necessary.
  3. May the returning Director provide copies of completed background checks from her current school district employer? Council responded affirmatively that any potential employee who has already completed background checks should provide copies to the Borough.
  4. Will the Borough Engineer be providing direct correspondence with the Recreation Board for completion of the park grant received by DCNR? Council stated that the final deadline for the Park Grant is December 31, 2015; copies of the initial correspondence have been provided to the Recreation Board. There is no documentation available right now. The Borough plans on starting the grant in early 2013. Borough Council will provide up to date information to the Recreation Board.
2. Lee Hoffheins/Gina Mumaw, Hufnagel Library Board Treasurer and Director: presented the 2012 Library Budget and provided programming update.

Mr. Hoffheins provided copies of the 2011 and 2012 library budgets. The largest expense for 2012 is employee salaries. Ms. Mumaw thanked Council for use of the Neuhaus Building and the annual donation too. The Hufnagel Public Library had 25,000 visitors last year and 18,000 people attending programs. One of the newest additions to the library system is the ability to download books onto personal Kindle's and Nook Readers.

3. John Trout, local pastor and Borough resident, 3035 Rexwood Drive: requesting assistance from the Borough to help manage the turkey vulture problem. Mr. Trout and resident Roy Cubbler expressed their concerns with turkey vultures and vultures roosting on their homes and in their yards and demanded that Council provide assistance to rid their neighborhood of these destructive birds. Mr. Cubbler contacted USDA and the USDA representative provided a possible course of action, specific to Mr. Cubbler's property. Council stated they would actively work to resolve the turkey vulture problem for all Borough residents. Council stated that it is reasonable to have one point of contact and John Trout volunteered to be the Rexwood Drive point of contact.

\*R. McCullough left the meeting at 8:05 P. M.

4. Terry Steyer/Cindy Duzan, owners of the GR Mill Inn: submitted a map for noise ordinance review. T. Steyer and C. Duzan presented Council with a map, designating a maximum 600 feet area to be exempted from PALCB Regulations and enforced by the provisions of GRB Ordinance 450 and all amendments thereto, for music played outside on the deck at the GR Mill Inn. The next step is for the map, petition and an approved Resolution adopted by Council, to be submitted to the Pennsylvania Liquor Control Board.

\*R McCullough returned to the meeting at 8:20 P M

M. Pokrifka presented Council with Resolution 2012 – 2, a resolution substituting the GRB noise ordinance for the Pennsylvania Liquor Control Board Regulations, to review. L. Cadwallader moved to adopt Resolution 2012 – 2, a resolution substituting the GRB noise ordinance for the Pennsylvania Liquor Control Board Regulations, seconded by D. Young. Motion carried. R. Shiles moved to authorize the Borough Solicitor to file a petition on behalf of the GR Mill Inn, seconded by L. Cadwallader. Motion carried.

## **Announcements**

1. President Shiles announced that Council would go to Executive session to discuss personnel issues and pending litigation.
2. President Shiles stated that the Borough received three letters of interest for the GR Water and Sewer Board vacancy. Letters were received from Richard Pace, Larry Flemmens, and L. James Merrick. B. Wetzel nominated Larry Flemmens to the vacancy; Larry Flemmens received the majority votes, so he was appointed to fill the vacancy on the GR Water and Sewer Board.

\*\* Council recessed to Executive Session at 8:30 P. M. to discuss personnel issues and pending litigation.

\*R. McCullough, Jr., left the meeting at 9:30 P. M.

\*\*The council meeting resumed at 9:31 P. M.

## **Solicitor's Report**

1. L. Cadwallader moved to approve the Modification Agreement to Final Subdivision Plan for Fields of Broad Springs, seconded by B. Wetzel. Motion carried.
2. B. Wetzel moved to authorize the solicitor to re-issue a new Notice of Violation to Jerome Litz for 106 Terrace Heights, and withdraw the current Notice of Violation issued by Inessa Rodriguez, ZO, CAI, seconded by C. Warner. Motion carried.
3. D. Young moved to authorize the solicitor to coordinate with Shrewsbury Township regarding the cul-de-sac at the end of the new portion of Glen Avenue, seconded by L. Cadwallader. Motion carried.

## **Borough Engineer's Report**

1. Gary Peacock filed the permit application with DEP for the stream bank stabilization for the municipal parking lot. According to D. Lipinski, the NRCS wall design provided by Gary Peacock is not sufficient to bid the project due to unknown elements. D. Lipinski recommends doing subsurface soil testing so that he can provide parameters to bidders for the wall design to try to prevent significant change orders to the bid. He also suggested completing similar testing along the Codorus Street retaining wall, so that project can proceed too. D. Lipinski will work on the bid documents while the permit is being processed by DEP, so the project can be bid and DEP changes will be incorporated as necessary. C. Warner moved to authorize D. Lipinski to coordinate with ECS to perform subsurface soil testing for both the municipal parking lot project and the Codorus Street flood damaged retaining wall, seconded by L. Cadwallader. Motion carried.

2. The engineer is reviewing the televising and moving forward with the design for repair/replacement of the storm sewer collection system for the Growing Greener Grant. D. Lipinski informed Council that there are significant conflicts with utilities along Church Street and options are being evaluated for the storm sewer along Hanover Street. Glen Rock Borough may request reimbursement for a percentage of the engineering fees for the total cost of the project.
3. Bid documents for the School Street repairs are almost complete; the PennDOT HOP application was submitted a week ago to replace the inlet on Manchester Street that will connect with School Street. The engineer is proposing inlets and storm sewer on School Street to address the storm water runoff which is the main reason the existing wall is failing. The road will be super elevated away from the repaired wall and storm water runoff will be collected by inlets and pipe and conveyed to the replaced inlet on Manchester Street. PennDOT is agreeable to the work.
4. The engineer will be finalizing the storm water management ordinance and then will forward to the solicitor for review. York County is currently working on revisions to the model ordinance; D. Lipinski is unsure of how the revisions will impact the Borough's ordinance. He was told that the revisions are mainly for clarification purposes and should not impact the Borough's ordinance.
5. The engineer informed Council that it will take several months to execute a grant agreement with DCNR for the GR Park Grant; the grant is valid until December 31, 2015. DCNR prefers a cash match rather than using volunteers as a match because it is difficult to convert volunteers' time to a cash value.

\*D. Lipinski left the meeting at 10:02 P. M.

### **GR Planning Commission Report**

No report.

### **Approval of Minutes**

1. C. Warner moved to approve the January 3, 2012 reorganizational meeting minutes, seconded by R. Apgar. Motion carried.
2. Council discussed the fines related to overweight vehicles driving on Church Street. The solicitor indicated that the Borough Ordinance mirrors the State Law with regard to vehicles over the gross weight limit.
3. B. Wetzel moved to approve the February 2, 2012 quarterly work session meeting minutes, seconded by D. Young. Motion carried.

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

1. The ZO provided a monthly summary report for December, 2011, and January, 2012, which are available for review in the Borough Office. The secretary provided the following summary:
  - a. December, 2011: one certificate of occupancy issued; one existing zoning violations; one abated zoning violations, and one existing property maintenance violation. CAI completed six Rental inspections.
  - b. January, 2012: one existing zoning violation and one existing property maintenance violation. CAI completed eighteen Rental inspections.

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

4. The solicitor discussed the APPI Contract for purchasing electricity for Glen Rock Borough. L. Cadwallader moved to retain Met-Ed as the Borough's supplier and distributor of electricity, seconded by D. Young. Motion carried.
5. M. Pokrifka contacted Mike Crawley, solicitor for GR Water & Sewer Authority, to request updates regarding the authorities' earth disturbance violation from York County Conservation District.
6. Council asked the solicitor about changes to the rental ordinance. The solicitor indicated that she was not authorized to work on this ordinance.

### **Mayor's Report**

No report.

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

1. The Borough has three Ford F-550 trucks: 2001, 2003, and 2008. The 2003 vehicle quit running during a recent ice event, and was towed to Apple Ford for repairs. The cost to repair the vehicle is estimated at \$2500.00 which includes replacing bad fuel injectors and banjo bolts. The fuel tank gauges are not working and might need replaced as well. The frame work is rusted on this vehicle and a replacement stainless steel truck bed is necessary. The 2001 truck may need replaced in 2014.

### **Secretary's Report**

1. A. Merrick requested a motion to authorize payment of MMO for Borough employees. D. Young moved to authorize payment of MMO (\$7674.00) for Borough employees, seconded by L. Cadwallader. Motion carried.
2. A. Merrick asked Council if they intend to use CDBG Funding to pay for engineering services related to the Hanover Street Curb and Sidewalk project. Council discussed and concurred that they intend to use CDBG funding to pay for engineering services for the Hanover Street project.

3. A. Merrick requested a motion for adopting a resolution for an agreement between GRB and Penn DOT, authorizing electronic access to PennDOT Systems, called e permitting. L. Cadwallader moved to adopt a resolution for an agreement between GRB and Penn DOT, authorizing electronic access to PennDOT Systems, called e permitting, seconded by C. Warner. Motion carried.
4. A. Merrick reminded Council that after March 16, 2012, Bulk Mailings will no longer be accepted at the GR Post Office. She requested articles for an early spring newsletter, no later than February 29, 2012.
5. A. Merrick informed Council that GRB is registered to purchase Salt for the 2012 – 2013 Snow Season through the State, Department of General Services.

### **Police Commission Report**

1. For comparison purposes, the following is a list of “Calls for Service” for each municipality for November and December:
  - a. Glen Rock Borough – 62; 132
  - b. New Freedom Borough – 113; 159
  - c. Shrewsbury Borough – 148; 232
  - d. Southern School District – 12; 25
  - e. Railroad Borough – 7; 10
  - f. Loganville Borough – 5; 7
  - g. Other jurisdictions – 4; 9The specific breakdown for November and December for Glen Rock Borough’s “Calls for Service” include the following: Citations, 5; 10; written warnings, 7; 4; summary arrests, 4; 2; and criminal arrests, 0; 5. Time analysis for GRB was 144.01 hours for November and 204.38 hours for December.
2. The chief plans on meeting with each Borough regarding a shared and similar ordinance to try to prevent an influx of pawn shops.

### **Public Safety**

1. R. Apgar announced that six more people must commit to participation in certification training, in order for the trainers to come to GRB.
2. R. Apgar contacted the police regarding the shooting of a 22 rifle within the Borough Limits. The Police addressed this issue.
3. R. Apgar discussed Meeting procedures with other Council members.

### **Special Project Report**

1. Clean the Stream project is scheduled for May 5, 2012.

### **Building/Property Report**

1. Inside the entryway to the Neuhaus Building, tiles have been popping due to no glue. The floor has been repaired by Shearer's Floor Service.

### **Ordinance/Refuse Report**

1. Changes to the Rental Ordinance must be discussed by Council and the current Refuse Contract expires on July 31, 2012.

### **Finance Report**

1. R. Shiles presented the invoices over \$500.00 for payment through the General Fund. L. Cadwallader moved to pay the following invoices over \$500.00, using the General Fund, seconded by R. Apgar:

|                                       |            |
|---------------------------------------|------------|
| a. CGA Law Firm                       | \$ 3963.55 |
| b. Code Administrators, Inc.          | \$ 880.00  |
| c. ECS                                | \$ 2725.00 |
| b. James R. Holley & Associates, Inc. | \$ 9249.40 |

Motion carried.

### **President's Report**

1. President Shiles received a letter from New Freedom Borough related to appointing alternates to the Police Commission in the absence of Police Commission members. M. Pokrifka stated she would verify if a Resolution is needed for this type of appointment.

### **Public Comment**

1. Mark Bortner commented about his experience with the use of meters to record decibels, as was previously discussed by Council with regard to managing noise levels from outside music at the GR Mill Inn.

\*\* Council recessed to Executive Session at 10:58 P. M. to discuss personnel issues.

\*\* The council meeting resumed at 11:09 P. M.

D. Young moved to adjourn the meeting at 11:10 P. M., seconded by L. Cadwallader. Motion carried.

**Respectfully submitted,**

Ann E. Merrick  
Secretary/Treasurer