

WRIGHTSVILLE BOROUGH COUNCIL
MINUTES OF APRIL 6, 2009 MEETING
COUNCIL MEETING ROOM

The regular meeting was called to order at 6:30 p.m. by President Young, who led the salute to the American flag. Also present were Council members M. McDonald, E. Sipes, T. Groft, N. Habecker, J. Cressler, Mayor Lindeman, Solicitor Tilley who arrived at 7:00 p.m., Engineer Klinedinst, Treasurer Brenner and Police Chief Pearson.

PATRONS:

Scott Blymier – Mentioned that three 9-1-1 calls have been made and there hasn't been response. Chief Pearson stated that they are aware of the situation and are working on it. Mayor Lindeman told Mr. Blymier that she would talk to him about this later.

Treva Waner – Mentioned that the neighbors have an in-ground pool and their fence is down in the back and she's concerned for the safety of children in the alley.

Brandon Holtzinger – Questioned if part-time officers were going to be interviewed this month. Also, suggested that come election time there be no mud-slinging.

Robin Geesey – She mentioned that the cost for copies has gone down to \$.25 from \$.50 but mentioned that it could be less. Mrs. Dietz mentioned that she had attended a Right-to-Know seminar and it was suggested that the copy price be \$.25 in our area. She requested that everyone keep in mind that the two people running for Mayor have differing views on the police department and that their decisions could affect the residents of Wrightsville's taxes and she feels the taxes are high now. She also stated that if we're paying over \$100 we could go with "Staters." Mrs. McDonald mentioned that there had been a misprint in the newspaper.

Annie Weirich – She brought in pieces of a tree that fell near her home. She is concerned about other trees on County Line Quarry's property leaning toward the homes on Willow Street and wants this matter addressed. She also mentioned that the Quarry's fence is coming down. Mayor Lindeman spoke to the fact that she had looked at the trees and found one not in good condition and does feel that the fence needs to be repaired.

Eric White – Discussed the Property Maintenance Code that was mentioned at last month's meeting and stated his objections to the Borough adopting this code. He detailed how he feels it is currently done and how things will be done if this code is adopted. He also feels that Code Administrators is in violation of copyright by providing photocopies of the Property Maintenance Code book to Borough Council members.

Sandy Waugh – mentioned that she's a landlord and feels the Property Maintenance Code is needed.

Jo Lentz – although she was not present, her wishes had been made known through various e-mails. She is in need of a variance to set her swimming pool 3' from the property line and she has a letter from the neighboring property owner agreeing to this. Her property address is 403 Cherry Street. Mr. Habecker made a motion to approve the variance contingent upon PA One Call locating the utilities. Mr. Sipes seconded the motion and it passed unanimously.

Ron Gross spoke for Mr. Yarnell – His property address is 50 S. Fifth Street. This has been an on-going battle about his fence. Mr. Gross requested a vote for him to finish his fence. Discussion was had and Solicitor Tilley was asked to review pictures and Council moved on.

MINUTES:

Mr. Sipes made a motion to approve the minutes. Mr. Habecker seconded the motion and the motion passed unanimously.

Amy Luttmann – came in late and was upset that the current dog ordinance is so vague. It does not give a dog owner a leg to stand on. She is hoping a time limit for barking could be established.

Ruth Myers – also coming late, mentioned that she has a business in good standing and feels that all the activities for the 175th Anniversary Celebration are being geared toward John Wright. She feels the activities should be spread throughout the Borough. She mentioned that each year she requests a variance to have an outside event and each year Solicitor Tilley says the ordinance needs changed and it never is. She feels a variance could be granted without changing the ordinance. She wants fair treatment as a business owner. She feels the Anniversary Celebration is promoting the town and all business owners need visibility.

Solicitor Tilley, after reviewing the Yarnell fence pictures and an email from the Engineer regarding the applicable ordinance, stated that in order to grant a variance there needs to be something unique about the property and also a hardship. Mr. Habecker went on to question if a variance was granted and a child or even a pet got hit by a car at that location due to the limited sight, would the Borough be held liable. Mr. Tilley mentioned that typically municipalities have immunity but it does depend on the circumstances. Mr. Cressler made mention of the fact that the ‘clear sight triangle’ is already obstructed and Mr. Tilley feels that is a unique circumstance and would require a policy decision. After much discussion, and rehashing of previously discussed items, it was determined that since Mr. Yarnell began his fence in 2005 – a year when no permit was needed for a fence – he is grandfathered in. He had a coronary soon after beginning. In 2006, he started working on his fence again and was given a stop order as the ordinance had changed. He has been waiting all this time to complete his fence and now will be able to.

FIRE: Report presented but not read.

REPORTS:

Streets – A handicap sign was requested for Patricia Tome at 404 S. Front Street at last month’s meeting. The meeting went long and so the decision had to be ratified this evening. Mr. Habecker made a motion to approve the sign. Mr. Sipes seconded the motion and it passed unanimously.

The Streets report was presented and a proposal from Jim’s Mowing was presented. The cost to spray will be roughly \$720.00. A license is needed to spray. Mr. Cressler made a motion to accept the proposal. Mrs. McDonald seconded the motion and it passed unanimously.

Recreation – Mr. Sipes announced that the two pitching machines have arrived and that the recreation commission will be building a batting cage. Mr. McKee noted that Lori Cunningham has resigned from the Commission and that Mr. Livelsberger will run softball for the time being. She will need to be replaced.

Police – Chief Pearson read the police report. Mr. Sipes stated that police protection is needed at 4th and Cherry. He stated that an officer responded to a call but never got out of his car. He mentioned that doors have

been stolen off of a jeep and wondered when the Borough would be getting more coverage. Mrs. McDonald remembered that speed traps had been purchased and wondered if they were going to be used. Chief stated that they were timing devices and he stated, yes, they were going to be used near Front Street. He also stated that he would be interviewing part-time officers this month.

President – Mrs. Young made everyone aware that there are minutes from the date of incorporation (1834) and that Mrs. Dietz will put them on the website if anyone is interested in viewing them. Mrs. Young let Pat & Wayne speak about the Anniversary committee. They mentioned there are a lot of plans – flea market and craft show with clowns, bands, etc. She stated that they do want and intend to spread activities through the Borough. There is going to be a meeting at 7 p.m., this Wednesday. She mentioned that yard-saling is welcome. The Anniversary celebration will kick-off Memorial Day weekend and finish with Heritage Days in September. Mrs. Young mentioned that funds need to be made available but that they would be put back in once fundraising is done. Mr. Brenner stated that money could be advanced from the Borough's Recreation budget line with anticipation of the money coming back. Mr. Sipes made a motion for \$3000.00 to be allocated for the Anniversary celebration. Mrs. McDonald seconded the motion and it passed unanimously. The Mayor questioned if the Borough Entertainment fee could be waived for crafters. They would still have to pay their vendor fee, which would go to the Borough. Mr. Cressler made a motion to waive the fee. Mr. Sipes seconded the motion and it passed unanimously. Mrs. Young mentioned she had a discussion with Royal Farms and they are planning to come to our area. The planned Property Maintenance discussion is tabled until next meeting and she mentioned that everyone has AFLAC forms that need to be completed whether you are getting AFLAC or not..

Treasurer – Mr. Brenner wanted to clarify that any expenses that arise for the Anniversary celebration should be run through the Borough secretary whenever possible as items can possibly be tax-exempt if paid for by the Borough. Mr. Brenner discussed the checkbook register and Mr. Sipes made a motion to approve it. Mr. Habecker seconded the motion and it passed unanimously. Mr. Brenner informed Council that we received a little over \$4000.00 more from Liquid Fuels than expected. He proposed that the budget be amended to reflect this. Mr. Habecker moved. Mr. Sipes seconded the motion and it passed unanimously. Mr. Brenner stated that the audit had been completed and that they are shooting for a May meeting with the Audit Committee. He also stated that recycling grant money should be coming soon and mentioned that it's a little less than in the past. Mrs. Dietz stated that this is due to individuals recycling items of value for their own profit, making the tipping fees less.

Engineer – Mr. Klinedinst mentioned John Wright's development. Stated he had spoken with Steve Conti and he informed him that there were submissions needed to the Municipal Authority. Mr. Klinedinst mentioned Royal Farms making minor changes to their plans and it should be next month. He went on to mention the damage done to Locust and Front Street after the storm/tornado. He presented his theory of what happened and then explained how it was repaired and mentioned that excellent workmanship was done in the repair. He questioned the Solicitor as to whose pipe it was and who was responsible for it as the pipe needs to extend to the river and this was the former Locust Street and has since been abandoned. Mr. Klinedinst then discussed that the inlets at Chestnut Street and Front Street are in need of repair and won't wait and also that he had looked at South 2nd Street from Lemon to Willow and feels that it needs sealant and drainage work but really feels that the Borough should establish a five year plan as sealing is a temporary fix. Another location needing a seal coat is Willow at Front to Water. Mr. Klinedinst performed some dangerous building inspections and rendered his opinion. He feels that the properties at Hidden Valley Mobile Home Park that he was asked to look at did not rise to the level of dangerous building but that a property at 333 Walnut did and a letter was issued. Mr. Klinedinst then mentioned that our ordinance regarding FEMA had been sent up by the Borough Secretary and we were waiting to see if we were in compliance. Lastly, he mentioned that since the school district has agreed to participate in the Safe Routes to Schools program by contributing, which leaves money available in the Borough budget to proceed with the DCNR grant. He provided a pre-printed resolution which needed signed by

the President of Council and the Borough Secretary. And recommended passing the resolution. Mr. Sipes made a motion to pass this resolution. Mrs. McDonald seconded the motion and it passed unanimously.

Solicitor – Mr. Tilley did not have a report.

Council entered an Executive Session at approximately 8:15 p.m. and reconvened at 8:30 p.m.

Upon Council's return from Executive Session, Mr. Tilley announced that they had discussed personnel changes, regulating trees, part-time police officers coordination.

Mrs. Young requested a motion to accept Mrs. Dietz' resignation as she is leaving to care for her son. Mr. Sipes made a motion to accept Mrs. Dietz' resignation. Mr. Cressler seconded the motion and it passed unanimously. Mr. Sipes made a motion to advertise and Mrs. McDonald seconded the motion. The motion passed unanimously and it was decided that it would be advertised in the York and Lancaster papers Friday, Saturday and Sunday and that deadline for resume submission would be April 17th. Mrs. McDonald then made a motion to have the Municipal Authority pay for Bobby Tome's benefits effective May 1st. Mr. Cressler seconded the motion and it passed unanimously.

Health & Safety – Mr. Habecker stated that he spent the afternoon at the Hellam fire hall with the TMI Drill and next Monday he will act as a Public Information Officer for them as part of the drill. He is hopeful that the intermunicipal emergency management plan will soon be wrapped up and will incorporate Eastern School District townships and boroughs. Mr. Habecker made a motion for Mr. Tilley to find easements on Locust Street. Mr. Cressler seconded the motion and the motion passed unanimously.

Mayor – Mrs. Lindeman mentioned that on Thursday, April 30th, between the hours of 3 p.m. and 6 p.m. you could go to the Columbia Borough Municipal Building to see the final lighting plan for the bridge.

Senior Center – Mr. Sipes mentioned that chocolate Easter eggs will be ready to pick up this week. The seniors made 84 dozen. He also mentioned that AARP helped 20 seniors prepare their taxes. He informed everyone that the Borough took 2nd place for the website and a plaque was presented at a luncheon he attended.

Mayor mentioned that Wrightsville Community Recreation Committee is requesting a donation. Mrs. Young suggested giving them \$100. Not knowing if that amount was fitting, Mr. Sipes stated he will contact them and get information on their budget. Mayor also stated that Thursday evening they will go look at the Quarry's trees.

Mr. Cressler stated that the situation at Locust Street brought about the problem of not having two full-time persons on the Streets Department. Mr. Cressler made a motion to hire Jason Livelsberger full-time at \$15.00 an hour. Mrs. McDonald seconded the motion. Mr. Groft questioned why this was not on the agenda. He became irate and questioned where the money would come from. Mr. Habecker calmly questioned what was going to happen with the budget at the end of the year. Mayor Lindeman suggested waiting until next month. As there was a motion on the table, a vote was taken and a roll call vote was taken. Mr. Groft and Mr. Habecker were opposed while Mr. Sipes, Mrs. McDonald and Mr. Cressler voted for this. Mrs. Young abstained.

Mr. Sipes made a motion to adjourn the meeting. Before Mrs. McDonald could second the motion, Annie Weirich questioned why Mrs. Young was abstaining. She stated it was her right and Mrs. McDonald seconded the motion to adjourn and it was unanimously agreed to adjourn at 8:50 p.m.

Respectfully submitted,

Bonnie K. Dietz
Secretary