

2016-1
STRASBURG BOROUGH
REORGANIZATION AND COUNCIL MEETING
JANUARY 4, 2016
MINUTES

Members Present: Mike Chiodo Robert Bennethum III
 James Rice Bruce Ryder
 Will Hutchinson

Others Present:

Henry Miller, Mayor
Lisa M. Boyd, Borough Manager
William Crosswell, Morgan, Hallgren, Crosswell & Kane

Mayor Henry Miller administered the oath of office to the following:

BOROUGH COUNCIL

William K. Hutchinson, 4 year term (2019)
James F. Rice, 4 year term (2019)
Bruce Ryder, 4 year term (2019)
Robert Bennethum, 4 year term (2019)

The Borough Manager presented each with a Loyalty Oath Certificate and an Affidavit of Residency to be signed. Due to his absence, Ray Garraffa will be sworn-in prior to the January 12, Council meeting.

CALL TO ORDER AND PLEDGE TO THE FLAG: The meeting was called to order at 7:30 p.m. by Mayor Henry D. Miller, followed by the salute to the flag.

ELECTION OF OFFICERS:

PRESIDENT OF COUNCIL: A motion was made by Jim Rice, seconded by Will Hutchinson and passed unanimously to nominate Mike Chiodo to the position of President of Council. With no additional nominations for Council President, Mike Chiodo was named President.

VICE PRESIDENT OF COUNCIL: A motion was made by Will Hutchinson, seconded by Mike Chiodo and passed unanimously to nominate Brian Barnhart to the position of Vice President of Council. With no additional nominations for Council Vice President, Brian Barnhart was named Vice President.

PRESIDENT PRO TEM: A motion was made by Will Hutchinson, seconded by Bruce Ryder and passed unanimously to nominate Ray Garraffa to the position of President Pro Tem. With no additional nominations for President Pro Tem, Ray Garraffa was named President Pro Tem.

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APPOINT CONTACTS AND ALTERNATES: A motion was made by Bruce Ryder, seconded by Will Hutchinson and passed unanimously to appoint the following members as contacts and alternates:

	Contact	Alternate
Public Works	Will Hutchinson	Brian Barnhart
Finance	Ray Garraffa	Mike Chiodo
Personnel	Ray Garraffa	Bruce Ryder

APPOINT BOROUGH SOLICITOR: A motion was made by Bruce Ryder, seconded by Jim Rice and passed unanimously to appoint Morgan, Hallgren, Crosswell & Kane as Borough Solicitor.

APPOINT BOROUGH ENGINEER: A motion was made by Bruce Ryder, seconded by Jim Rice and passed unanimously to appoint ELA Group as Borough Engineer.

APPOINT PNC BANK AS DEPOSITORY OF BOROUGH FUNDS: A motion was made by Bruce Ryder, seconded by Jim Rice and passed unanimously to appoint PNC Bank as the depository of Borough funds.

APPOINT CHAIRPERSON TO VACANCY BOARD: A motion was made by Jim Rice, seconded by Mike Chiodo and passed unanimously to appoint Gail Anderson as Chairperson of the Vacancy Board.

Mayor Miller turned the meeting over to Council President Chiodo at which time Mike thanked everyone for their continued service.

EXECUTIVE SESSION: At 7:40 p.m., Mike Chiodo announced that Borough Council will hold an executive session to consult with the Borough Solicitor concerning potential litigation and for the purpose of attorney-client confidential and privileged communications relating to the Route 896 Relocation Project. Borough Council will reconvene this public meeting following the executive session at which time official action may be taken by Borough Council regarding any matter which may properly come before Borough Council.

The regular meeting was reconvened at 8:50 p.m. at which time action was taken on the following items:

CONSIDERATION OF HRG'S PROPOSAL TO PROVIDE ENGINEERING

CONSULTATION SERVICES: A motion was made by Bruce Ryder, seconded by Will Hutchinson and passed unanimously to approve the proposal for engineering consultation services with Herbert, Rowland & Grubic, Inc., in the form presented at this meeting and that the proper Borough officials be authorized to accept and execute the proposal on behalf of the Borough.

A motion was made by Jim Rice, seconded by Bob Bennethum and passed unanimously to designate Bruce L. Ryder as the Borough Council liaison to work with the Borough Solicitor, the Borough Manager, and Herbert, Rowland & Grubic, Inc., in connection with issues relating to the Route 896 Relocation Project.

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ADOPTION OF FEE SCHEDULE – RESOLUTION #2016-1: A motion was made by Bruce Ryder, seconded by Bob Bennethum and passed unanimously to approve Fee Schedule Resolution #2016-1.

ADJOURNMENT: A motion was made by Jim Rice, seconded by Will Hutchinson and passed unanimously to adjourn at 8:55 p.m.

Respectfully submitted,

Lisa M. Boyd
Borough Manager

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STRASBURG BOROUGH COUNCIL
JANUARY 12, 2016
MINUTES

Members Present: Mike Chiodo Robert Bennethum III
 James Rice Bruce Ryder
 Ray Garraffa

Others Present:
Henry Miller, Mayor
Lisa M. Boyd, Borough Manager
F. Steven Echternach, Police Chief
Cindy Hummel

CALL TO ORDER AND PLEDGE TO THE FLAG: Council President Mike Chiodo called the meeting to order at 7:30 p.m., followed by the salute to the flag. President Chiodo announced that the meeting is being audiotaped and maintained until the minutes are approved.

REQUESTS TO BE HEARD:

MINUTES OF DECEMBER 8, 2015 AND JANUARY 4, 2016: A motion was made by Ray Garraffa to approve the minutes of the December 8, 2015 and January 4, 2016 meetings as printed. Bruce Ryder seconded the motion. Motion carried with members Chiodo, Ryder and Garraffa casting assenting votes. Members Bennethum and Rice abstained from voting because they were not in attendance for the December 8, 2015 meeting.

REPORTS:

MAYOR – Mayor Miller did not have anything to report.

PRESIDENT – President Chiodo did not have anything to report.

MANAGER – The Borough Manager provided her written report dated January 8, 2016, and added that she will be attending Representative Greiner’s breakfast on January 29, 2016 at West Lampeter Township and reminded the members that if they also wished to attend that she could RSVP for them. She announced that an additional item will be considered under Other Business which will be for a request for a reduction for the Holiday Inn Express. She also stated that an update from UGI was received today which stated that they are delaying the installation of natural gas along East Main Street. President Chiodo announced that RB Campbell did satisfactorily complete all of his projects.

POLICE – The Police Department’s report for December 2015 was received and accepted.

PUBLIC WORKS – The Public Works report for December 2015 was received and accepted.

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ZONING OFFICER – The Zoning Officer’s report for December 2015 was received and accepted.

CONSENT AGENDA: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

FLOODPLAIN ORDINANCE – AUTHORIZATION TO FORWARD IT TO THE BOROUGH AND LANCASTER COUNTY PLANNING COMMISSIONS AND THE PA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT:

President Chiodo stated that there is a timetable for the adoption of the Floodplain Ordinance and the Borough Manager stated that this project was delayed because DCED had promised to be able to assist municipalities but was then unable to assist due to staffing limitations. Working on behalf of 17 municipalities who will share the expenses, the Borough Solicitor developed a model floodplain ordinance which includes the items that must be included in order to obtain DCED’s approval. The Borough’s floodplain ordinance is actually being reduced in that the previous ordinance included approximately three and a half properties and now only covers properties without homes, which is the meadow between Mindy Avenue and Miriam Court.

Jim Rice made a motion, seconded by Ray Garraffa and passed unanimously to authorize the Borough Manager to forward the updated Floodplain Ordinance to the Borough and Lancaster County Planning Commissions and the PA Department of Community and Economic Development for their review and comment.

PAYMENT OF BILLS: Ray Garraffa made a motion, seconded by Jim Rice and passed unanimously to approve payment of the six lists of bills dated 12/8/15 (liquid fuels checks), 12/8/15, 12/17/15, 12/22/15, 12/29/15 and 1/5/16 totaling \$69,904.37.

OTHER BUSINESS:

REDUCTION IN THE LETTER OF CREDIT FOR HOLIDAY INN EXPRESS FOR IMPROVEMENTS:

The Borough Manager stated that the Public Works Director has inspected the improvements on a weekly basis and recommends approval of their request to reduce the letter of credit by \$464,572.64, leaving a balance of \$282,414.83. Ray Garraffa made a motion, seconded by Bruce Ryder and passed unanimously to approve the reduction in the letter of credit for the Holiday Inn Express by \$464,572.64, which leaves a balance of \$282,414.83.

CONSIDERATION OF HRG’S PROPOSAL TO PROVIDE ENGINEERING CONSULTATION SERVICES:

Bruce Ryder made a motion, seconded by Ray Garraffa and passed unanimously to clarify that the intention of the motion that was passed on January 4, 2016 was to appoint HRG to review not only the Route 896 Relocation Project issues, but all items that are the responsibility of Borough Council such as the Subdivision and Land Development ordinance, Zoning Ordinance and Stormwater Management Ordinances, but not to affect the use of ELA Group as the engineer for the Strasburg Borough Authority for the Rutter’s project.

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CITIZENS' COMMENTS: None.

ADJOURNMENT: A motion was made by Jim Rice, seconded by Bob Bennethum and passed unanimously to adjourn the meeting at 7:40 p.m.

Respectfully submitted,

Lisa M. Boyd
Borough Manager

2016-7
STRASBURG BOROUGH COUNCIL
FEBRUARY 9, 2016
MINUTES

Members Present: Mike Chiodo Brian Barnhart
 Robert Bennethum III James Rice
 Bruce Ryder Ray Garraffa
 Will Hutchinson

Others Present:

Henry Miller, Mayor	William C. Crosswell, Solicitor
Lisa M. Boyd, Borough Manager	David Martineau, M&G Realty's Solicitor
F. Steven Echternach, Police Chief	Neal Metzger, LSC Design
Cindy Hummel, Lancaster Newspapers	Tom Lainhoff
John Hershey	LaJune Ranck

CALL TO ORDER AND PLEDGE TO THE FLAG: Council President Mike Chiodo called the meeting to order at 7:30 p.m., followed by the salute to the flag. President Chiodo announced that the meeting is being audiotaped and maintained until the minutes are approved.

REQUESTS TO BE HEARD:

M&G REALTY (RUTTER'S FARM STORE) CONDITIONAL USE HEARING:
Mike Chiodo turned the meeting over to the Borough's Solicitor, William Crosswell from Morgan, Hallgren, Crosswell & Kane, who introduced himself and explained the procedures that would be followed during the hearing to ensure that state laws and the zoning ordinance were followed when considering the application.

Borough Council Exhibits 1-9 were outlined and marked and made a part of the proceeding and are: 1) The draft minutes of the February 1, 2016 Strasburg Borough Planning Commission meeting where they recommended granting the Conditional Use Application, 2) The signed document by the applicant, M&G Realty, agreeing that the time at which the Conditional Use Hearing must be held was extended until after the decision of the Zoning Hearing Board, 3) A letter from Mr. Martineau, general counsel for the applicant, agreeing to the time extension, 4) Proof of publication for the hearing from LNP Media Group showing the advertisements occurred on January 22, 2016 and January 29, 2016, 5) Proof and photographs that the Borough Zoning Officer posted the property on January 13, 2016, 6) A letter to Mr. Martineau, Counsel for the applicant, that was required to be given to the applicant, 7) A letter to the Zoning Officer notifying him of the Conditional Use hearing, 8) Subdivision Plan showing current locations of Lots 7 and 8, 9) Letter from Morgan, Hallgren, Crosswell & Kane, P.C. dated January 28, 2016 regarding off-site traffic improvements, and 10) Conditions.

Attorney Crosswell announced that anyone in addition to the applicant and the Borough staff who wished to become a party to the hearing needed to indicate that to Borough Council. He announced that anyone can make a statement but if they desired to preserve their right to appeal that they would need to become a party to the hearing by filling out an appearance form and no one requested to become a party to the hearing. Attorney Crosswell also noted that, as required, a court reporter was present and recording the hearing.

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David Martineau, Counsel for the applicant, stated that they are proposing to construct a Rutter's convenience store on a 4.7 acre piece of property with prepared foods, a seating area, gas, and high speed diesel. He stated that the purpose of tonight's Conditional Use Hearing is to consider the prepared food fast food part of the application. He stated that the prepared foods and seating area will be entirely inside the convenience store.

Mr. Martineau reviewed M&G Realty Exhibits 1-3 and were outlined and marked and made a part of the proceeding: 1) The Application for Conditional Use, 2) M&G Realty, Inc. letter dated November 12, 2015 outlining the additional information required for the Application for Conditional Use, and 3) LSC Design Rutter's Farm Store #70 plan sheets dated October 22, 2015 revised November 10, 2015. Mr. Martineau noted that the neighboring property owners were notified as required, the adjoining properties are all zoned Highway Commercial, there are no residential properties within 200 feet and they are not proposing a drive through, outdoor seating or outdoor play areas.

In reviewing some of the criteria for the application, Mr. Martineau stated the following:

- 1) The purpose of the Highway Commercial Zone is to provide suitable locations for large scale or highway-oriented retail services, which this use fits within that purpose,
- 2) The surrounding uses are also C-2 so the use will not distract from the use and enjoyment of nearby properties,
- 3) The closest residential use is over 400 feet away which exceeds the requirement of 200 feet,
- 4) The proposed use is a permitted use in the zone and part of the characteristic of the neighborhood,
- 5) The property is served by public water and sewer,
- 6) No new residents are proposed so no burden on the school system,
- 7) The use is consistent with the Borough's Comprehensive Plan,
- 8) Historic Drive is a controlled access arterial road,
- 9) Trash receptacles will be placed at every entrance and fuel station and are checked at the beginning of two shifts per day and are changed when at least half full and the grounds are checked for litter,
- 10) A drive-through is not proposed,
- 11) Exterior speakers or microphones are not proposed with the restaurant use and the only speakers will be those required on the fueling stations, and
- 12) No exterior seating or play areas are proposed.

Ray Garraffa asked if this Rutter's would be similar to the one located at Route 30 and Mountville exit to which Mr. Martineau stated this one has more square footage but that one has more diesel truck fueling stations. Mr. Martineau stated that they are proposing this store to be similar to the one they just constructed in Leola only this one will have an expanded seating area.

Neal Metzger from LSC Design was in attendance and stated that he has been doing site design and a traffic study was completed as part of the 896 Project and that one of the uses considered was a convenience store.

Mr. Martineau stated that he believed they met all of the criteria for the Conditional Use and asked Council for approval so they could move forward with Land Development.

Ray Garraffa made a motion, seconded by Will Hutchinson to recommend Borough Council approve the Conditional Use request of M&G Realty (Rutter's Farm Store) for a fast food restaurant, as recommended by the Borough Planning Commission and subject to any conditions suggested by the Borough Solicitor.

Solicitor Crosswell asked about the lots that were proposed to be utilized that were part of a prior subdivision. Mr. Metzger stated that it is all of one lot and part of a second lot and pointed out on the plan the location of the existing and proposed lot lines. He stated that they are proposing to only use

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a portion of the second lot and the remaining to be added onto the adjacent undeveloped lot. Solicitor Crosswell clarified and the applicant agreed that it was all of Lot 8 and part of Lot 7. Solicitor Crosswell asked about the second access point and Mr. Martineau stated that it would be through the adjacent lot when it is developed. Solicitor Crosswell confirmed that as part of their application, the applicant has agreed to reimburse the Borough for reasonable expenses of the professional consultants, to which Mr. Martineau agreed was correct.

Solicitor Crosswell asked Mr. Martineau if he received a letter from him on January 28, 2016 regarding the traffic issues to which he stated he did, and Solicitor Crosswell confirmed that was entered as Borough Council Exhibit #9. Mr. Martineau stated that their traffic engineer is reviewing those and will determine if any improvements need to be done based on the prior agreements. Solicitor Crosswell confirmed that the applicant is aware of the ordinance requirement under the Subdivision and Land Development Ordinance to reference notes that were on prior plans that relate to the same property to which Mr. Martineau stated that he was now aware of that so their plans will contain all prior notes that would be imposed on this property as well as any additional notes as the result of this hearing.

Bruce Ryder asked about the proposed landscaping and site barriers. Mr. Martineau stated that they would be addressing that in the Land Development stage and they did not yet have those plans prepared. Mr. Metzger stated that they intended to comply with all of the Borough's requirements under Zoning as well as Subdivision and Land Development. Bruce Ryder confirmed that they intended to comply with the requirements of the Borough Authority and Mr. Martineau stated that they do and have already had some meetings with the Authority and their representatives. Bruce Ryder confirmed that they did not intend to allow overnight truck parking nor provide for showers for truckers to which Mr. Martineau agreed. Bruce Ryder asked about sidewalks and Mr. Martineau stated that it would be addressed during Land Development and if the Borough desired sidewalks along their frontage that they would install them. Bruce Ryder asked about the size of the building changing and asked them to confirm the size of the building they are proposing to which Mr. Martineau stated that it will not be larger than they submitted and shown on Applicant's Exhibit 3 of 7,845 square feet.

Solicitor Crosswell stated that he had previously provided a copy of the standard conditions that may be imposed by Borough Council to Mr. Martineau, to which Mr. Martineau agreed that he had received and were acceptable.

Ray Garraffa added to his original motion to approve the Conditional Use request of M&G Realty (Rutter's Farm Store) for a fast food restaurant, as recommended by the Borough Planning Commission and subject to any conditions suggested by the Borough Solicitor, includes the standard conditions as shown on Exhibit 10 and any additional conditions by Borough Council. Jim Rice seconded the revised motion.

Tom Lainhoff was sworn in and asked who was financially responsible to install the second access point to which Mr. Martineau stated was yet to be determined. Mr. Martineau stated that it would be only an internal access point and would not connect to Route 896. Solicitor Crosswell confirmed that it would not be the Borough's responsibility. Mr. Lainhoff asked about Mr. Martineau's statement that it would not create the need for any additional Borough services, noting that they are proposing a 24/7 operation and the current Borough police operation does not have police officers on duty 24/7 and asked if that could be a potential problem. Mr.

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Martineau stated that it has not been a problem at any other store. Steve Echternach was sworn in and stated that the Borough of Strasburg Police Department maintains 24 hours, 7 days a week, 365 days a year coverage.

John Hershey, 48 East Main Street, was sworn in and stated that he believes that restaurants in the Borough belong in the village core within walking distance and not on the fringes, noting that there is not any people that live within 400 feet of the proposed Rutter's. Mr. Hershey stated that if Council's motivation was to increase the tax base, he encouraged them to have vacant or underutilized properties developed. He stated that he didn't feel that the character unique to Strasburg is being preserved by this use and was concerned that this would encourage visitors to miss what the village core has to offer. Bruce Ryder stated that he is supportive of this use in this location and the intent of the bypass was to protect the downtown. Mr. Hershey stated that Borough restaurants will be competing with the Rutter's, to which Mr. Ryder disagreed stating that the food served by the restaurants in town is not the same as what people would be going to the Rutter's to purchase and they attract a different type of clientele.

LaJune Ranck, 52 East Main Street, was sworn in and asked about the size and layout of the proposed Rutter's to which Mr. Martineau stated that this one is slightly larger than the one they just constructed in Leola and has a slightly different layout because of the additional seating area. She stated that there is an empty hole at Route 896 at Route 30 that has been sitting vacant for some time and expressed her concern regarding the existing convenience stores, Turkey Hill and the Sunoco on North Decatur Street. She was also concerned about the vacancies in the "Strasburg Square" center along 896 in Strasburg Township. Ray Garraffa stated that he was familiar with the existing Turkey Hill near his business in Columbia that had a large Sheetz facility opened at the Prospect Road exit. He stated that he was concerned that it would have a negative impact on that Turkey Hill but Turkey Hill remodeled that facility and is currently a thriving business that is competing with Sheetz that is right across the street.

Bruce Ryder proposed an amendment to the motion, seconded by Jim Rice and passed unanimously to make part of the record the Borough Council Exhibits and the Applicant's Exhibits and to include the following additional conditions: Condition 6) No overnight parking and associates services such as showers, 7) Required to install sidewalks for pedestrian access, 8) Agreeing to abide by Rates, Rules and Regulations of the Borough Authority and all applicable ordinances of the Borough.

Solicitor Crosswell stated that, as required by law, he will prepare a written decision containing the conditions that were imposed by Borough Council to the Borough Manager to circulate for signatures.

Bruce Ryder made a motion, seconded by Jim Rice and passed unanimously to close the Conditional Use Hearing at 8:23 p.m.

MINUTES OF JANUARY 12, 2016: A motion was made by Jim Rice to approve the minutes of the January 12, 2016 meeting as printed. Bob Bennethum seconded the motion. Motion carried with members Chiodo, Ryder, Bennethum, Rice and Garraffa casting assenting votes. Members Barnhart and Hutchinson abstained from voting because they were not in attendance for the meeting.

REPORTS:

MAYOR – In addition to the Public Works Department, Mayor Miller commended the Police Department and most of the Borough residents for the fine job done with dealing with the large snowfall. Bruce Ryder stated that there were some people who didn't remove their vehicles from the snow emergency routes until the snow was almost over. Chief Echternach stated that he has the authority to have any vehicle deemed a hindrance to be removed from the roadway and they almost had one towed but the owner was located who removed the vehicle.

PRESIDENT – President Chiodo reported that he, Bob Bennethum and Jim Rice attended Representative Keith Greiner's breakfast meeting. President Chiodo thanked Solicitor Crosswell for his attendance and work involved with tonight's Conditional Use Hearing.

MANAGER – The Borough Manager provided her written report dated January 8, 2016.

POLICE – The Police Department's report for January 2016 was received and accepted.

PUBLIC WORKS – The Public Works report for January 2016 was received and accepted.

ZONING OFFICER – The Zoning Officer's report for January 2016 was received and accepted.

CONSENT AGENDA: A motion was made by Brian Barnhart , seconded by Will Hutchinson and passed unanimously to approve the following items on the Consent Agenda:

PAYMENT OF BILLS IN THE AMOUNT OF \$75,042.08

HISTORIC ARCHITECTURAL REVIEW BOARD CERTIFICATES OF

APPROPRIATENESS – 214 MILLER STREET, 17 WEST MAIN STREET
AND 204 MILLER STREET

ACCEPTANCE OF HISTORIC ARCHITECTURAL REVIEW BOARD ANNUAL
REPORT

ACCEPTANCE OF CIVIL SERVICE COMMISSION ANNUAL REPORT

APPROVAL FOR STRASBURG FIRE POLICE TO ASSIST AT BART TOWNSHIP'S
FIRE COMPANY SALES

AUTHORIZATION TO PUT THE PARKING LOT REPAVING AND RESTRIPIING
OUT FOR BIDS

UNFINISHED BUSINESS: None.

NEW BUSINESS:

REVIEW OF EMPLOYEE HEALTH INSURANCE COVERAGE: The Borough Manager provided detailed information regarding changes to the existing employee health insurance coverage. She explained that during the 2014-2015 renewal, which kept the Borough's premium about the same, the copays increased at least double or triple for the employee. A replacement policy was researched at that time and it was found that because of the post-retirement health insurance option for retired police officers, the only company that offers this type of insurance is

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Capital Blue Cross and the opportunity to change policies expired. Again during the 2015-2016 renewal, the Borough's premium would have again remained about the same but the copays for the employees were again going to increase. Different Capital Blue Cross policies were again researched by her and Chief Echternach, and they are asking Borough Council to consider a one-year change for the March 1, 2016 through February 28, 2017 policy year to change to a \$250/\$500 deductible that has less copays instead of the \$500/\$1000 deductible plan that has higher copays with the understanding that the coverage will be reevaluated during the 3/1/17 renewal to evaluate the impact on the 2017 Budget. The Borough Manager explained that the 2016 Budget includes a 15% possible increase for health insurance and if the lower deductible option is accepted, this change is only a 7.2% increase. Brian Barnhart expressed his concern regarding improving the coverage for one year which is against the trend for how employers handle insurance coverage and the higher impact it may have on the employees during the next policy period. Bob Bennethum stated that the cost for this option is less than what was budgeted and he believed the coverage was in line with private industry professionals.

Bob Bennethum made a motion, seconded by Bruce Ryder and passed unanimously to authorize the Borough Manager to inform the Borough's insurance agent to change the employee's health insurance coverage to a \$250/\$500 deductible for 3/1/16-2/28/17 policy period, with the condition that the coverage will be reevaluated during the 3/1/17 renewal to evaluate the impact on the 2017 Budget.

OTHER BUSINESS: Mayor Miller submitted a proclamation acknowledging the hard work by the Public Works Department during the recent heavy snowfall.

CITIZENS' COMMENTS: None.

EXECUTIVE SESSION – PERSONNEL: President Chiodo adjourned the meeting into an Executive Session at 8:45 p.m. to discuss an upcoming retirement.

The regular meeting was reconvened at 9:07 p.m. at which time no official action was taken.

ADJOURNMENT: A motion was made by Jim Rice, seconded by Ray Garraffa and passed unanimously to adjourn the meeting at 9:07 p.m.

Respectfully submitted,

Lisa M. Boyd
Borough Manager

2016-13
STRASBURG BOROUGH COUNCIL
MARCH 8, 2016
MINUTES

Members Present: Mike Chiodo Brian Barnhart
 Robert Bennethum III James Rice
 Bruce Ryder Ray Garraffa

Others Present:

Henry Miller, Mayor Bob May, Lancaster EMS
Lisa M. Boyd, Borough Manager David Martineau, M&G Realty's Solicitor
F. Steven Echternach, Police Chief Jerry Schromm, Lancaster EMS
Cindy Hummel, Lancaster Newspapers

CALL TO ORDER AND PLEDGE TO THE FLAG: Council President Mike Chiodo called the meeting to order at 7:30 p.m., followed by the salute to the flag. President Chiodo announced that the meeting is being audiotaped and maintained until the minutes are approved.

REQUESTS TO BE HEARD:

ANNUAL MS4 PUBLIC AWARENESS PRESENTATION: The Borough Manager provided a presentation regarding the Municipal Separate Storm Sewer System program (MS4). A handout entitled "Illicit Discharges and Stormwater Management" was provided and reviewed. Lisa stated that the main goals of the NPDES Permit are to protect water quality and satisfy the Clean Water Act. She stated that each permit has six minimum control measures that the permittee is required to comply with which include 1) Public education and outreach, 2) Public involvement, 3) Illicit detection and elimination program, 4) Construction site runoff, 5) Post-construction site runoff and 6) Municipal operations and good housekeeping. Lisa stated that the Borough has several links on our website, strasburgboro.org, to provide information to the public, provide brochures to homeowners regarding sedimentation control on their properties, includes information in our annual newsletter about properly disposing of hazardous waste, and provides information to developers when they apply for a building permit. Lisa that the Borough is also required to annually provide a public presentation and this is the public presentation for 2016.

Lisa added:

- The Strasburg Boy Scouts have installed storm drain markers throughout the Borough.
- Storage bins have been added at the Public Works Building so that the piles of cinders, mulch, etc. are contained and therefore reduce the possibility of runoff.
- Showed a copy of the last Annual Report that is required to be submitted to show compliance with the MS4 stormwater regulations.
- All Borough vehicles are now being cleaned at the carwash and the owners have given the Borough a 15% discount on all washes.
- Explained the annual requirement of the inspection, the written and photo documentation of the 17 outfalls within the Borough. If there is a flow at any of these locations, the requirement is to have it tested by a lab.
- All stormdrain cleaning, street cleaning, and vehicle washes must be documented.
- All employees must be, and have been trained on the MS4 program and those trainings must be documented. The police and firemen will be having a joint MS4 training later this month.

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- Kara Kalupson, West and East Lampeter's Stormwater Management Coordinator, will be the presenter.
- The Borough works jointly with the Lancaster County Conservation District and the Pequea Creek Watershed Association.

ANNUAL LEMSA REPORT – BOB MAY, EXECUTIVE DIRECTOR: Bob May provided the following highlights:

- Effective January 1, 2016, Lancaster EMS now has 24/7 ambulance station located at Willow Valley Lakes.
- Lancaster EMS was recently reaccredited by the Commission on Accreditation of Ambulance Services (CAAS). Lancaster EMS remains the only accredited ambulance service provider in Lancaster County.
- Strasburg-specific statistical data such as 911 volume, call type, ambulance membership; as well as other data was shared with the Council members.
- Concerns about response time and unit availability were addressed. Lancaster EMS covered 79% of all 911 requests in 2015; and 81% for the first two months of 2016.

Regarding the paramedic shortage in Lancaster County, Lancaster EMS is implementing sign-on and referral bonuses. In addition, Lancaster EMS is recruiting new hires by offering paramedic scholarships.

ANNUAL FIRE COMPANY REPORT – JOHN STOLTZFUS, FIRE CHIEF: John Stoltzfus reviewed the 2015 Fire Company report in detail and provided the following highlights:

- Total Incident Count: 196 with 52 of them in Strasburg Borough
- Total Estimated Losses: \$323,500 with \$6,500 in Strasburg Borough

RUTTER'S FARM STORE – REQUEST FOR WAIVER OF PRELIMINARY PLAN PROCESS: David Martineau, M&G Realty's Solicitor, presented the request for a waiver of the Preliminary Plan process. Ray Garraffa made a motion, seconded by Jim Rice and passed unanimously to approve Rutter's request for a waiver of Preliminary Plan process, as recommended by the Planning Commission, subject to the conditions of the Borough solicitor and engineer.

MINUTES OF FEBRUARY 9, 2016: A motion was made by Ray Garraffa, seconded by Jim Rice and passed unanimously to approve the minutes of the February 9, 2016 meeting as printed.

REPORTS:

MAYOR – The Mayor had nothing to report.

PRESIDENT – President Chiodo provided an update regarding the quarterly Pension Investment Report from PFM.

MANAGER – The Borough Manager provided her written report dated March 4, 2016.

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PUBLIC WORKS – The Public Works report for February 2016 was received and accepted.

ZONING OFFICER – The Zoning Officer’s report for February 2016 was received and accepted.

UNFINISHED BUSINESS:

CONSIDERATION AND POSSIBLE ENACTMENT OF FLOODPLAIN ORDINANCE

2016-1: The ordinance was advertised as required and is available for public inspection. The Planning Commission met on March 7, 2016 and recommended adoption.

Ray Garraffa made a motion, seconded by Bruce Ryder and passed unanimously to enact Floodplain Ordinance 2016-1.

NEW BUSINESS:

FIRESIDE RESTAURANT – REQUEST FOR WAIVER OF PRELIMINARY PLAN

PROCESS: Due to a family matter, Dennis Gehringer was unable to attend. The members discussed the request for a waiver of the Preliminary Plan process and noted that there is no new construction proposed with this plan, just a subdivision of land to separate the Fireside Restaurant from the Clarion Inn property and allow for separate ownership. Jim Rice made a motion, seconded by Ray Garraffa and passed unanimously to approve Fireside Restaurant’s request for a waiver of Preliminary Plan process, as recommended by the Planning Commission, subject to the conditions of the Borough solicitor and engineer.

PAYMENT OF BILLS: Jim Rice made a motion, seconded by Ray Garraffa and passed unanimously to approve payment of the four lists of Borough bills dated 2/9, 2/17, 2/23 and 3/1/16 totaling \$140,769.49 and the two lists of bills for the Liquid Fuels dated 2/9 and 3/1/16 totaling \$7,800.92.

OTHER BUSINESS:

APPOINTMENT OF A PROPERTY MAINTENANCE INSPECTOR AND HISTORIC

DISTRICT BUILDING INSPECTOR – RESOLUTION 2016-2: Bruce Ryder made a motion, seconded by Bob Bennethum and passed unanimously to adopt Resolution 2016-2 appointing Commonwealth Code Inspection Services (Pete Kingsley, Jr.) as the Borough’s Property Maintenance Inspector and Historic District Building Inspector.

8-10 EAST MAIN STREET: Bruce Ryder made a motion, seconded by Ray Garraffa and passed unanimously that the Borough Manager be authorized to retain the services of a professional engineer licensed in the Commonwealth of Pennsylvania who is qualified to perform structural analyses to conduct an inspection of the property at 8-10 East Main Street along with the Borough’s Property Maintenance Inspector and Historic District Building Inspector detailing what structural deficiencies, if any, exist with respect to the structure located

2016-16

on said property, and if any structural deficiencies exist, to further describe what measures should be taken to correct such structural deficiencies.

REQUEST FOR FIRE POLICE - RAILS & ALES EVENT: The members reviewed the request from Jeffrey Bliemeister dated March 4, 2016 requesting to use Strasburg Fire Police for Traffic/Safety Control at their April 16 Rails & Ales event which will be held at the Railroad Museum of Pennsylvania. Approval is required from Borough Council to insure worker's compensation coverage for the Fire Police. Bruce Ryder made a motion, seconded by Ray Garraffa and passed unanimously to approve the request for Strasburg Fire Police for Traffic/Safety Control at the Rails & Ales event.

CITIZENS' COMMENTS: Bob Bennethum stated that he and his family walk a lot throughout the Borough and on several occasions there has been dog feces on the sidewalks. He questioned if some kind of enforcement could be considered. It was noted that this has been considered on several occasions in the past and it has been determined that enforcement would be difficult. It was the consensus of the members that something be posted on the Borough's homepage of the website and in the next newsletter.

ADJOURNMENT: A motion was made by Bruce Ryder, seconded by Ray Garraffa and passed unanimously to adjourn the meeting at 8:25 p.m.

Respectfully submitted,

Lisa M. Boyd
Borough Manager

2016-17
STRASBURG BOROUGH COUNCIL
APRIL 12, 2016
MINUTES

Members Present: Ray Garraffa Robert Bennethum III
 James Rice Bruce Ryder
 Will Hutchinson

Others Present:
 Henry Miller, Mayor Eldon Stoltzfus
 Lisa M. Boyd, Borough Manager Dennis Gehringer
 Brad Klunk, Police Officer Cindy Hummel, Lancaster Newspapers
 David Martineau, M&G Realty's Solicitor Neil Metzger, LSC Design

CALL TO ORDER AND PLEDGE TO THE FLAG: Council President Pro Tem Ray Garraffa called the meeting to order at 7:30 p.m., followed by the salute to the flag. President Pro Tem Garraffa announced that the meeting is being audiotaped and maintained until the minutes are approved. The Borough Manager took the roll call.

REQUESTS TO BE HEARD: Eldon Stoltzfus, owner of 2 East Main Street, was in attendance and stated that they have applied to construct a stairway access to utilize the second and third floors of their building and to construct an office above the existing donut shop to expand their existing business. Since the required parking does not exist on the lot, Mr. Stoltzfus contacted Bachman Funeral Home and is prepared to enter into an agreement with them for 9 parking spaces since that parking lot is only utilized when there is a funeral. Mr. Stoltzfus asked Borough Council to consider supporting their Zoning Hearing Board application that is being considered on April 18, 2016, to allow them to utilize shared parking to accommodate the additional use.

The Borough Manager stated that the second Zoning Hearing Board application being considered on April 18, 2016 is for 17 West Main Street to have a second sign and a larger sign than permitted for an art studio that is proposed at that location.

The Borough Manager stated that both applications have been reviewed by the Historical Architectural Review Board and they recommended approval of the improvements.

Bob Bennethum made a motion, seconded by Will Hutchinson and passed unanimously to authorize the Borough Manager to write a letter of support to the Zoning Hearing Board for 2 East Main Street's shared parking agreement and 17 West Main Street's signs being considered at their April 18, 2016 hearing.

RECOGNITION OF BOROUGH'S 200 YEARS OF INCORPORATION (MARCH 13, 1816): In recognition of the Borough's 200 years of incorporation, Mayor Henry Miller read the following statement: As Borough Council convenes this evening, the members continue a tradition of government established 200 years ago. Strasburg was officially incorporated as a Borough by an Act of the Pennsylvania legislature on March 13, 1816. An election of burgess, assistant burgess and 7 members was held on April 2nd of that year, and the Strasburg Borough

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Council held its first meeting on Monday, April 15, 1816. By the end of that month, they had passed the Borough's first ordinance to have the streets surveyed and a map drafted and a resolution to create a committee to employ a surveyor to carry out that ordinance. Their second resolution that it be the duty of the Borough's high constable to take up any swine running at large through any part of the Borough, and so began the arduous work of Borough government in Strasburg. Let us take a moment to recognize the foresight of those first Council members and reflect with gratitude on the service provided by two centuries of subsequent members who have devoted themselves and continue to devote themselves to the leadership and well-being of our community.

MINUTES OF MARCH 8, 2016: A motion was made by Jim Rice, seconded by Bob Bennethum to approve the minutes of the March 8, 2016 meeting as printed. Motion carried with members Garraffa, Bennethum, Rice and Ryder casting assenting votes. Member Hutchinson abstained from voting because he was not in attendance for the meeting.

REPORTS:

MAYOR – Mayor Miller stated that there is a sinkhole in the southwest corner of the cemetery. The Borough Manager stated that we will make the Cemetery Association aware of the sinkhole.

PRESIDENT – President Chiodo was not in attendance.

MANAGER – The Borough Manager provided her written report dated April 8, 2016. She encouraged the members to read the HARB minutes regarding the draft HARB Ordinance which will be discussed at next month's meeting. Tom Zug from Lititz has been hired to do a structural evaluation at 8-10 East Main Street with Pete Kingsley Jr and a copy of their report will be provided to Council once completed.

POLICE – The Police Department's report for February and March 2016 was received and accepted.

PUBLIC WORKS – The Public Works report for March 2016 was received and accepted.

ZONING OFFICER – The Zoning Officer's report for March 2016 was received and accepted.

CONSENT AGENDA: A motion was made by Bruce Ryder, seconded by Jim Rice and passed unanimously to approve the following items on the Consent Agenda:

PAYMENT OF BILLS IN THE AMOUNT OF \$192,230.25
HISTORIC ARCHITECTURAL REVIEW BOARD CERTIFICATES OF
APPROPRIATENESS – 2 EAST MAIN STREET AND 123 MILLER STREET
APPOINTMENT OF LISA M. BOYD AS PA STATE ASSOCIATION OF
BOROUGH'S VOTING DELEGATE
AUTHORIZATION TO PUT 2010 POLICE CRUISER OUT FOR BIDS
2016 PAVING PROJECT – AUTHORIZATION TO BID WILTON DRIVE (SHENK
AVENUE TO STONINGTON WAY)

UNFINISHED BUSINESS:

FIRESIDE RESTAURANT – CONSIDERATION OF WAIVERS AND FINAL PLAN:

Dennis Gehringer, Land Use Planner representing the applicant and the managing partner, B.C. Desai, was in attendance and reviewed their application for a final plan to establish a lot for the Fireside Restaurant to be independently owned. Mr. Gehringer reminded the members that this is only a subdivision and no construction is proposed for the site at this time and the area is being developed as a center verses individual lots. Mr. Gehringer outlined their waiver requests that were recommended for approval by the Planning Commission in detail.

Bruce Ryder made a motion, seconded by Will Hutchinson and passed unanimously to grant a waiver from the requirements of the following sections of the Strasburg Borough Subdivision and Land Development Ordinance of 1995, as amended, relating to a final subdivision plan for Fireside Restaurant prepared by Land Grant Surveyors dated June 16, 2015, last revised April 15, 2016, subject to compliance with the 15 conditions which have been accepted by Lancaster Dutch Hospitality LLC, the applicant, and which are incorporated by reference into this motion:

- (i) Section 603.09 (landscaping of perimeter of off-street parking)
- (ii) Section 301 (sidewalks along Historic Drive)

And to grant conditional approval of the Final Subdivision Plan for Fireside Restaurant, prepared by Land Grant Surveyors, dated June 16, 2015, last revised April 15, 2016, subject to compliance with the fifteen (15) conditions which have been accepted by the Applicant and which are incorporated by reference into this Motion, as recommended by the Borough Engineer, Borough Solicitor and Borough Planning Commission.

RUTTER’S FARM STORE – CONSIDERATION OF WAIVERS:

David Martineau, M&G Realty’s Solicitor, was in attendance and reviewed their application for waivers and stated that the Borough Planning Commission recommended approving eight of the waivers and tabled two landscaping waivers. Mr. Martineau stated that since the last meeting, they have revised their plans regarding the two remaining waivers based on the Planning Commission’s comments. The Borough Manager stated that during the Borough Engineer’s initial review, they are favorable to the changes and their plans are closer to being in compliance. The Borough Manager will forward the comments from the Borough Engineer regarding the outstanding two waivers to Borough Council as soon as they are received and they will be reconsidered at the Planning Commission’s next meeting.

The following waivers were requested:

Waiver Request #1. Existing tree location, SALDO Section 402.03.6 and 403.05 – the ordinance requires the applicant to call out and provide the measurements of the existing trees on the site and there is currently an existing fence/tree row which has a large variety and sizes of trees. The applicant is asking to identify them as an outline of a tree row. The Engineer suggested that the tree removal area be clearly noted/labeled on the existing conditions and demo plan and the Tree Committee is recommending fencing be installed at the dripline to protect the trees during construction. The Engineer and Planning Commission originally recommended replacing the existing trees that were over 6” in caliper in kind. The Planning Commission’s recommended condition was 1) the tree removal area be clearly noted/labeled on the existing conditions and demo plan, 2) the developer/contractor flag any trees with a caliper of 6 inches or more prior to

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removal and then after the number of trees to be removed has been confirmed by the Borough, they be required to be replaced in kind and 3) to install tree protection fencing at the dripline to protect the roots except in the area where the parking is located and the grading will indicate the loss of the tree, to protect the existing trees during construction. Mr. Martineau questioned the interpretation of the proposed condition and stated that if they are required to replace all of the existing large trees and also install the perimeter landscaping, they will have to ask for a bigger waiver from the perimeter landscaping because there just isn't enough area to plant all of those trees. Henry Miller noted that there aren't residential developments surrounding the project that require additional screening and the Planning Commission is a recommending body. Mr. Martineau also stated that they can replace existing trees in the same species that will grow to be large but it is extremely difficult to replace an existing 12" caliper tree with a 12" caliper tree. Jim Rice noted that because it is an existing tree line, the existing trees might be too close together and need to be studied by a tree arborist to decide which trees to retain to keep the tree line healthy.

The conditions imposed by Council on this waiver include: 1) the tree removal area be clearly noted/labeled on the existing conditions and demo plan and also identify and list all existing trees that are over 6" caliper, 2) if an existing large tree on the list gets accidentally damaged during construction, a smaller tree on the plan would need to be replaced with a tree that would grow to the same size as the one that got damaged and 3) to install tree protection fencing at the dripline to protect the roots except in the area where the parking is located and the grading will indicate the loss of the tree, to protect the existing trees during construction.

Waiver request #2 Perimeter landscaping, SALDO Section 603.09 was tabled by the Planning Commission and will be reconsidered at the Planning Commission's next meeting.

Waiver Request #3. Street Trees, SALDO Section 613.02 and 613.02.3 – the applicant is now proposing 5 street trees (one additional tree has been added based upon the Planning Commission's recommendation) which is less than required because of the limited landscape space due to the existing and proposed utility easements and that a 40 foot spacing requirement is not feasible.

The condition imposed by Council as recommended by the Planning Commission on this waiver is to retain the existing tree on the south side.

Waiver request #4 Landscape Strips and Interior Landscaping, SALDO Section 613.03 and Zoning Ordinance 312.2 was tabled by the Planning Commission and will be reconsidered at the Planning Commission's next meeting.

Waiver Request #5. Stormwater Loading Ratio, SWMO Section 302.a.2.c – a waiver has been requested from the loading ratio requirement of 3:1 impervious to pervious surface area and due to the limited site locations for stormwater management, they are providing 2 underground basins and one surface basin depression. The applicant is providing water quality snouts and with the execution of a Storm Water Management Agreement, the landowner will be responsible for operation and maintenance of all stormwater facilities and the Borough Engineer recommends approval.

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No conditions were imposed.

Waiver Request #6. Stormwater Watershed Transfer, SWMO Section 304.e – a waiver has been requested because our Stormwater Management Ordinance does not allow water to be transferred between watersheds and there are no existing watercourse exits to receive runoff from the eastern watershed and they are requesting to have the entire site drain to the west into the Historic Drive Stormwater Management system. They will meet the ordinance as far as volume control, maximum discharge rate control and stormwater quality measures. The Borough Engineer supports the request but requests that revised calculations that show the post development runoff rates to be less than the pre development runoff rates.

The condition imposed by Council as recommended by the Planning Commission is that the applicant is to submit revised calculations that show the post development runoff rates to be less than the pre development runoff rates.

Waiver Request #7. Emergency Spillway, SWMO Section 307.a.1.(e).[2] and 307.a.1.(e).[4] – a waiver has been requested because the outlet structure will have discharge orifices and they are asking that the top of the structure be the emergency spillway for the 100 year storm instead of installing a depression in the berm. The Borough Engineer supports this waiver be granted as long as the applicant provide calculations documenting the water surface elevation assuming all openings are clogged except for the outlet structure grate and provide a one foot freeboard (top of berm to 100-year water surface elevation). Mr. Metzger stated that a Storm Water Management Operation and Maintenance Agreement is required and the Conservation District also monitors compliance. Mr. Metzger stated that they typically inspect their facilities once per year for water quality and also verify the basin is functioning properly.

The conditions imposed by Council as recommended by the Planning Commission include: 1) the applicant provide calculations documenting the water surface elevation assuming all openings are clogged except for the outlet structure grate and 2) provide a one foot freeboard (top of berm to 100-year water surface elevation).

Waiver Request #8. Traffic Impact Report, SALDO Section 402.05.4 – a waiver has been requested because a traffic study was already completed for the entire corridor which assumes this type of store in this location. A Traffic Signal Study, as required by PennDOT, was completed. Mr. Martineau stated that he did not understand the two conditions recommended by the Planning Commission.

Bruce Ryder explained, in detail, the history of discussions regarding these two conditions between the Borough and Rutters. Bruce Ryder explained the reasons for the condition for an off-site improvement at the Main/Miller/Lancaster Avenue intersection that the original landowners previously agreed to fund and that same requirement has been carried through to all new subdivided landowners. Bruce Ryder also explained the reason for the second condition for them to reimburse the Borough for any new improvements required in the future by PennDOT due to the additional traffic generated by Rutter's because the entranceway to the Rutter's is from a Borough road that connects to 896, which was explained previously to Rutter's when tjeu were provided with a copy of a letter from Tom Haist at PennDOT, which Mr. Martineau agreed they had previously received.

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After explaining the conditions in detail, Bruce Ryder asked Mr. Martineau and Mr. Metzger if they understand them and did they agree with the wording. If they didn't accept the wording, then we would need to work with the solicitor to change the wording, but that is the intention of the wording as he understands it. Mr. Metzger requested confirmation that Rutter's, as the owners of this property, as well as all of the other developers that were part of the original plan, would all share the cost? Bruce Ryder stated yes regarding the condition about Main/Miller and Lancaster Avenue, and that this condition is saying that if because of Rutter's development connecting to our short stub street all by itself, not with any other developers, that would be only Rutter's cost. There are two items, that if PennDOT ever comes back and says they changed their mind and something needs done at the Main/Miller and Lancaster Avenue intersection, Rutter's would share the cost with the other developers along the bypass, and if PennDOT ever comes back and says other improvements are needed they were needed only by the traffic generated by Rutter's, Rutter's only would be responsible for those costs. That is the intention. Mr. Metzger stated that makes sense. Bruce Ryder stated that the intention is to protect the Borough from having to spend money for something that wasn't our responsibility. Henry Miller asked how it was determined how much each of the developers would have to pay for any possible future improvements to the Main/Miller/Lancaster Avenue intersection and Bruce Ryder stated that it is up to the developers. He added that he does not believe they have ever come to an agreement regarding that cost sharing, but it is still their responsibility if the improvements are ever required by PennDOT. Neil Metzger again stated that it makes sense to him.

Mr. Martineau questioned that if a new developer comes in, they do a traffic study if PennDOT requires one, it takes into account all existing traffic? Bruce Ryder answered presumably. Mr. Martineau questioned if something is required as a result of that, is that what you mean by related to our development? Bruce Ryder answered it could be. Like I said, PennDOT reserves the right to come back and require something even without a traffic impact study. If they decide. Mr. Martineau added I'm talking about for future development. Bruce Ryder stated yes, and if somebody else does a traffic impact study and says, wait a minute, these guys are generating much more traffic than was originally contemplated in that study written back in 2005, I think it was, then we are going to have to talk about it. But if PennDOT says that your traffic study is ok and nothing is needed then nothing is done. Henry Miller questioned if PennDOT would say that in the future, say 5 years from now, then nothing else is needed, would that take the developers off the hook? Bruce Ryder stated no, and that's the point. That is why we are putting this in, because PennDOT says we always reserve the right to come back later and change our mind. That was the jist of the Tom Haist letter and, face it, every 4 years you have a new administration. They can change any of the rules and regulations they want and come up with different answers. So I don't think we can ever count on anything that PennDOT says as being a permanent decision and that's the reason for this condition.

Ray Garraffa questioned that if another business was to come in, would they not be held responsible for the additional traffic that they are generating? Bruce Ryder stated they should be. Ray Garraffa added that they would be first in line, so to speak, much like you are first in line for this. Bruce Ryder answered yes, but if during that study they show that this business is generating more traffic than was originally planned 10 years ago, then there may be a decision that these developers do need to help do something and again that will be all done by PennDOT. The Borough has no control over it. We are not requiring any traffic impact study, that is what we are waiving here, and we are not proposing any particular off-site improvements. All we are

2016-23

talking about is if PennDOT ever comes to us that we can turn around and come to you and or the other developers. Mr. Martineau responded that that's fine with him.

The conditions imposed by Council as recommended by the Planning Commission are 1) the Applicant draft and enter into a maintenance agreement with the Borough to cover all future signal maintenance costs associated with the addition of the fourth leg of the intersection, including pavement markings, signage, loop sensors, any additional cabinet equipment required to accommodate the fourth leg including conflict monitors, signal display, including signal heads and lights, mast arms, and pedestrian signal heads and push buttons for the Street A crossing, 2) the Applicant and Landowner shall indemnify and hold the Borough harmless from any requirements imposed by the Pennsylvania Department of Transportation upon the Borough of Strasburg to construct or to fund the cost of constructing any on-site or off-site improvements to the State Highway System incident to or arising from the Rutter's Project, including the cost of highway improvements which increased traffic or surface drainage may necessitate, and 3) Applicant and Landowner shall also remain responsible for compliance with General Design Note No. 24 as set forth on the Revised Subdivision Plan for Strasburg Business Place recorded at Subdivision Plan Book 2010-0195-J.

Waiver Request #9. Interior Landscaping, SALDO 603.10 – a waiver request was submitted because our ordinance requires a landscaping break up at least every ten (10) parking spaces and the applicant is proposing eleven (11) spaces, (thirteen (13) spaces total if the ADA access aisles are included) along the front of the store. The total required interior landscaping percentages are met elsewhere on the plan and the Borough Engineer supports the waiver.

No conditions were imposed.

Waiver Request #10. Sidewalk, SALDO Section 604.01 – a waiver request was submitted because they are proposing public sidewalks along the majority of the frontage and they are only requesting a waiver to not provide sidewalks along the north side of the Street A driveway, noting that that sidewalk would not connect to anything and there are existing trees in that location. The Borough Engineer and Solicitor recommend that this waiver not be completely waived but rather deferred so that if in the future the Borough determines that this sidewalk along Street A from the access drive to the northern property line is necessary or desirable, the owner of Lot 1, which they are recommending to revised to be Lot 7, shall install the sidewalk at the Owner's expense.

The condition imposed by Council as recommended by the Planning Commission is that public sidewalks are required along the frontage and sidewalk installation for the north side of the Street A driveway is not waived but deferred so that if in the future the Borough determines that this sidewalk along Street A from the access drive to the northern property line is necessary or desirable, the owner of Lot 1, which they are recommending to revised to be Lot 7, shall install the sidewalk at the Owner's expense.

Bruce Ryder made a motion, seconded by Jim Rice and passed unanimously to approve the 8 waivers that have not been specifically tabled by the Planning Commission regarding the Rutter's Farm Store, with the conditions as noted above, on the recommendation of the Borough Solicitor, the Borough Engineer and the Borough Planning Commission.

2016-24

NEW BUSINESS:

ACCEPTANCE OF COUNCILMAN AND VICE-PRESIDENT BRIAN BARNHART'S RESIGNATION: Council President Pro Tem Ray Garraffa stated that Brian Barnhart submitted a letter of resignation effective April 12, 2016.

Jim Rice made a motion, seconded by Bob Bennethum and passed unanimously to accept Councilman and Vice-President Brian Barnhart's resignation with regret and authorize the Borough Manager to send a letter thanking him for his service.

APPOINTMENT OF A VICE-PRESIDENT: Will Hutchinson made a motion, seconded by Bruce Ryder and passed unanimously to appoint (promote) Ray Garraffa to the position of Vice President.

The Borough Manager stated that Borough Council has 30 days from today to appoint a replacement Councilmember to complete Brian Barnhart's unexpired term through December 31, 2017.

The Borough Manager also reminded the members that an appointment to the position of Pro Tem will be considered at the next meeting.

APPOINTMENT OF LISA M. BOYD AS PEMA SNOW REMOVAL GRANT

REPRESENTATIVE – RESOLUTION 2016-3: Jim Rice made a motion, seconded by Will Hutchinson and passed unanimously to adopt Resolution #2016-3 appointing Lisa M. Boyd as the PEMA Snow Removal Grant Representative.

OTHER BUSINESS: The Borough Manager stated that there are two stormwater drains and one cross pipe that crosses South Decatur Street in the area of 17 South Decatur Street which are in the right-of-way. She stated that she has pictures and on the 17 South Decatur Street side, the property owner stated that water backs up and sometimes gets into his basement. Because it is a PennDOT street, she asked PennDOT if they would make the necessary repairs and they stated that they would not because it is the responsibility of the municipality. She is asking for Borough Council's permission to have only the public right-of-way portion of that stormwater line televised, and if it is a blockage to carefully vacuum out the blockage, at an approximately \$400 cost.

If it is determined that the line is broken and needs to be replaced, she will come back to Borough Council for additional permission to have the Public Works Department replace the pipe, with the assistance of Flagger Force, and then restore the roadway as necessary.

Henry Miller asked if the stormwater line at South Jackson and West Main Street could also be televised, noting that it has backed up in that intersection many times.

Jim Rice made a motion, seconded by Will Hutchinson and passed unanimously to authorize the stormwater lines in the public right-of-way at 17 North Decatur Street and the intersection of South Jackson and West Main Street be televised to determine the flow problem and to authorize any blockage removed by carefully vacuuming the lines if necessary.

2016-25

CITIZENS' COMMENTS: None.

ADJOURNMENT: A motion was made by Bruce Ryder, seconded by Jim Rice and passed unanimously to adjourn the meeting at 8:50 p.m.

Respectfully submitted,

Lisa M. Boyd
Borough Manager

2016-26
STRASBURG BOROUGH COUNCIL
MAY 10, 2016
MINUTES

Members Present: Mike Chiodo Ray Garraffa
 Robert Bennethum III James Rice
 Bruce Ryder Will Hutchinson

Others Present:

Henry Miller, Mayor	Will Mullin
Lisa M. Boyd, Borough Manager	Tom Lainhoff
F. Steven Echternach, Chief of Police	Stephen Smoker
Cindy Hummel, Lancaster Newspapers	Jadon Smoker
David Martineau, M&G Realty's Solicitor	Neil Metzger, LSC Design
Tim Rutter, M&G Realty	Mark Zettlemoyer, Reinsel Kuntz Leshner
Rachel Horst, Reinsel Kuntz Leshner	

CALL TO ORDER AND PLEDGE TO THE FLAG: Council President Mike Chiodo called the meeting to order at 7:30 p.m., followed by the salute to the flag. President Chiodo announced that the meeting is being audiotaped and maintained until the minutes are approved. The Borough Manager took the roll call.

REQUESTS TO BE HEARD:

PRESENTATION OF 2015 BOROUGH AUDIT – MARK ZETTLEMOYER: Mark Zettlemoyer and Rachel Horst, representing the Borough's Auditor, Reinsel Kuntz Leshner, were in attendance and reviewed the 2015 Borough Audit and Report to Borough Council. In summary, they issued an opinion that the information is fairly presented. In conclusion, Ms. Horst reviewed the letter to Borough Council regarding the 2015 Audit and stated that the staff is easy to work with and they found no issues with the Borough's accounting records and the comments they issued regarding the audit are the same as in previous years.

MINUTES OF APRIL 12, 2016: A motion was made by Jim Rice, seconded by Ray Garraffa to approve the minutes of the April 12, 2016 meeting as printed. Motion carried with members Garraffa, Bennethum, Rice, Ryder and Hutchinson casting assenting votes. Member Chiodo abstained from voting because he was not in attendance for the meeting.

REPORTS:

MAYOR – Mayor Miller had nothing to report.

PRESIDENT – President Chiodo stated that he was unable to attend last month's meeting but wanted to officially thank Brian Barnhart for his service to the Borough as Councilman.

MANAGER – The Borough Manager provided her written report dated May 6, 2016 and added that that 8 East Main Street was inspected and a report issued regarding the necessary improvements and 10 East Main Street was officially posted condemned today. She added that the property owner continues to work with us to address all of the issues in the inspector's report.

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POLICE – The Police Department’s report for April 2016 was received and accepted.

PUBLIC WORKS – The Public Works report for April 2016 was received and accepted.

ZONING OFFICER – The Zoning Officer’s report for April 2016 was received and accepted.

TREASURER – The Borough Manager stated that as of March 31, 2016, we are on schedule with the exception of the additional expenses to the Borough Solicitor which was anticipated due to the special projects he is assisting with. She added that we are hoping that the legal expenses associated with the property maintenance violation at 8-10 East Main Street will be reimbursed. Ray Garraffa made a motion, seconded by Bob Bennethum and passed unanimously to accept and file for audit the Treasurer’s Report for the period ending March 31, 2016.

CONSENT AGENDA: A motion was made by Will Hutchinson, seconded by Jim Rice and passed unanimously to approve the following items on the Consent Agenda:

PAYMENT OF BILLS IN THE AMOUNT OF \$607,926.29

HISTORIC ARCHITECTURAL REVIEW BOARD CERTIFICATES OF

APPROPRIATENESS – 109 MILLER STREET AND 39 EAST MAIN STREET
APPROVAL OF STRASBURG FIRE POLICE TO ASSIST AT THE BOB BARD

5K/10K RACE IN QUARRYVILLE

HOLIDAY INN EXPRESS – REQUEST FOR REDUCTION IN LETTER OF CREDIT

UNFINISHED BUSINESS:

RUTTER’S FARM STORE – CONSIDERATION OF REMAINING WAIVERS AND

FINAL PLAN: The Borough Manager stated that she is in possession of the required signed conditions. David Martineau, Solicitor for M&G Realty, was in attendance and reviewed their request and added that the Borough Planning Commission met and recommends approval of the remaining two waivers and for approving the plan.

WAIVERS – Ray Garraffa made a motion, seconded by Bruce Ryder and passed unanimously to grant the following waivers of the Strasburg Borough Subdivision and Land Development Ordinance of 1995 with regard to the Final Subdivision Plan for Proposed Rutter’s Farm Store #70, subject to the following: (i) Applicant shall accept and comply fully with the conditions of Final Subdivision and Land Development Plan approval in the form and content presented at this meeting and which are incorporated by reference in this Motion and as recommended by the Borough Planning Commission.

Waiver of Section 603.09 of the Strasburg Borough Subdivision and Land Development Ordinance of 1995.

Waiver of Section 613.03 of the Strasburg Borough Subdivision and Land Development Ordinance of 1995.

PLAN – Ray Garraffa made a motion, seconded by Jim Rice and passed unanimously to grant conditional final approval of the Final Subdivision and Land Development Plan for Proposed Rutter’s Farm Store #70, subject to the following: Applicant shall accept and comply fully with the conditions of Final Subdivision and Land Development Plan approval in the form and content presented at this meeting and which are incorporated by reference in this Motion and as recommended by the Borough Planning Commission.

EXECUTION OF DOCUMENTS – Bruce Ryder made a motion, seconded by Jim Rice and passed unanimously that the President or Vice President of Borough Council be authorized to execute and acknowledge, if necessary, and that the Borough Secretary be authorized to attest all necessary and appropriate documents pertaining to the Final Subdivision and Land Development Plan for Proposed Rutter’s Farm Store #70 (the “Plan”), upon compliance with the conditions of Plan approval and upon such documents being in a form and content acceptable to the Borough Staff, Herbert, Rowland & Grubic, Inc. (“HRG”), the Borough Solicitor and the Strasburg, Lancaster County, Borough Authority (“Authority”) Solicitor, as applicable. I further move that the President or Vice President of Borough Council be authorized to execute and acknowledge and that the Borough Secretary be authorized to attest the Plan after the conditions of Plan approval have been satisfied and all documents are in an acceptable form and content. In the event any dispute or disagreement arises prior to the recording of the Plan between the Applicant, on the one hand, and the Borough Staff, HRG, the Borough Solicitor and/or the Authority Solicitor, on the other hand, as to the requirements and documents pertaining to the Plan, any issue in dispute or disagreement must be submitted to Borough Council at least fourteen (14) business days before a regularly scheduled meeting of Borough Council for resolution by Borough Council.

REVIEW OF HISTORICAL ARCHITECTURAL REVIEW BOARD ORDINANCE

UPDATE: HARB Chairman Tom Lainhoff was in attendance and stated that HARB has been reviewing the ordinance for approximately two years which included meeting with Borough Council, received input from the PA Historic Preservation office, the public, Councilman Bruce Ryder, the Solicitor and discussed it at length at meetings. HARB believes that the draft revisions cover the necessary points and disagree with the Solicitor’s recommendation to add Borough Council’s ability to revise Section 600, Actions Not Requiring Certificate of Appropriateness by resolution. Mr. Lainhoff stated that his concern is that a current hot topic could cause Council to easily change the ordinance since it could be done by resolution and asked if it is common practice for ordinances to be able to be amended by resolution? The Borough Manager stated that the only other one she can remember is the Building Code Ordinance had a section amended by resolution and when you give out the ordinance you need to remember to attach the resolution. Bruce Ryder stated that some ordinances have a separate rules and regulations document that can be amended by resolution and added that he would support HARB’s recommendation to not allow that section to be amended by resolution. Henry Miller stated that he was in favor of keeping the option to amend the section by resolution. Tom Lainhoff stated that the past practice is that this ordinance is reviewed every ten years and noted that Borough Council has the right to overrule HARB’s individual recommendations. Bob Bennethum stated that he was in favor of keeping this ordinance consistent with other ordinances and not include the ability to change it by resolution. The Borough Manager stated that most ordinances are reviewed every ten years.

2016-29

Bruce Ryder made a motion, seconded by Bob Bennethum and passed unanimously to remove the sentence from Bill Crosswell's recommendations that states "Borough Council may from time to time by resolution determine additional activities which are not to be regulated by HARB."

Tom Lainhoff asked Borough Council members to consider attending a HARB meeting to see first-hand how happy the property owners are to work with the Board.

Bruce Ryder made a motion, seconded by Will Hutchinson and passed unanimously to forward their decision on the outstanding items to Bill Crosswell for inclusion in the updated ordinance and authorize him to advertise the ordinance for enactment at a future Council meeting.

NEW BUSINESS:

CONSIDER APPOINTMENT TO BOROUGH COUNCIL – POSSIBLE ADOPTION OF RESOLUTION 2016-4: Mike Chiodo stated that David Dunn and Will Mullin submitted prospective board member forms to be considered for the vacancy on Council. It was noted that both applicants have good qualities and backgrounds to bring to the Board and were all very pleased that two residents were interested in the position.

Bruce Ryder made a motion, seconded by Jim Rice and passed unanimously to insert David Dunn's name into Resolution 2016-4 appointing him to Borough Council until the first Monday in January 2018, which is the remainder of Brian Barnhart's term, and adopt Resolution 2016-4 which appoints David Dunn to Borough Council.

APPOINTMENT OF A PRESIDENT PRO-TEM: Brian Barnhart made a motion, seconded by Ray Garraffa and passed unanimously to appoint Jim Rice as President Pro-Tem.

OTHER BUSINESS: None.

CITIZENS' COMMENTS: Bob Bennethum stated that stop bars were placed at the stop signs in the Trails at Strasburg development they look good, slow down the traffic and more vehicles are stopping at the stop signs. He added that he hoped for more police presence in the neighborhood to curtail the people that normally do not stop.

EXECUTIVE SESSION – PERSONNEL ITEM: Mike Chiodo adjourned the meeting into an Executive Session to discuss a personnel item at 8:30 p.m.

The regular meeting was reconvened at 8:42 p.m. at which time no action was taken.

ADJOURNMENT: A motion was made by Ray Garraffa, seconded by Jim Rice and passed unanimously to adjourn the meeting at 8:42 p.m.

Respectfully submitted,

Lisa M. Boyd
Borough Manager

2016-30
STRASBURG BOROUGH COUNCIL
JUNE 14, 2016
MINUTES

Members Present: Ray Garraffa James Rice
 Robert Bennethum III Bruce Ryder
 Will Hutchinson

Others Present:

Henry Miller, Mayor	Clair Denlinger
Lisa M. Boyd, Borough Manager	Joe Coleman
F. Steven Echternach, Chief of Police	Pat Lancaster
Cindy Hummel, Lancaster Newspapers	Sawyer Lancaster
Bryce Johnson	

CALL TO ORDER AND PLEDGE TO THE FLAG: Council Vice President Ray Garraffa called the meeting to order at 7:30 p.m., followed by the salute to the flag. Vice President Garraffa announced that the meeting is being audiotaped and maintained until the minutes are approved. The Borough Manager took the roll call.

REQUESTS TO BE HEARD: Joe Coleman, representing the PA Society of the Sons of the American Revolution, was in attendance and in honor of Flag Day, recognized Steve and Miriam Echternach, David Work, Richard and Denise Waller and the Strasburg Jaycee Park for exemplary patriotism and appropriately displaying the American Flag.

MINUTES OF MAY 10, 2016: A motion was made by Jim Rice, seconded by Will Hutchinson and passed unanimously to approve the minutes of the May 10, 2016 meeting as corrected.

REPORTS:

MAYOR – Mayor Miller had nothing to report.

PRESIDENT – Vice President Garraffa had nothing to report.

MANAGER – The Borough Manager provided her written report dated June 10, 2016 and stated that the LCBA meeting has been canceled. Will Hutchinson asked about the repairs to 8-10 East Main Street. The Borough Manager stated that the repairs have begun and is inspected regularly by the Borough’s Building Inspector. She also reported that the owner was given 4 months to complete the repairs. Bob Bennethum asked the status of the other Property Maintenance violations and the Borough Manager stated that she is following up on those.

POLICE – The Police Department’s report for May 2016 was received and accepted.

PUBLIC WORKS – The Public Works report for May 2016 was received and accepted.

ZONING OFFICER – The Zoning Officer’s report for May 2016 was received and accepted.

2016-31

CONSENT AGENDA: A motion was made by Jim Rice, seconded by Will Hutchinson and passed unanimously to approve the following items on the Consent Agenda:

PAYMENT OF BILLS IN THE AMOUNT OF \$252,964.13

HISTORIC ARCHITECTURAL REVIEW BOARD CERTIFICATES OF
APPROPRIATENESS – 313 MILLER STREET, 239 MILLER STREET AND
20 WEST MAIN STREET

UNFINISHED BUSINESS: None.

NEW BUSINESS:

AWARD OF 2016 PAVING PROJECT BID: Will Hutchinson made a motion, seconded by Bob Bennethum and passed unanimously to award the 2016 paving project, for a portion of Wilton Drive (Shenk Avenue to Stonington Way), to the lowest bidder, Pennsy Supply of Annville, PA at a bid of \$47,515.60.

AWARD OF 2010 POLICE CRUISER BID: Steve Echternach provided a bid tabulation showing the three bids received for the sale of the 2010 Ford Police Cruiser.

Will Hutchinson made a motion, seconded by Jim Rice and passed unanimously to award the sale of the 2010 Ford Police Cruiser to the high bidder, Liberty Motors at a bid of \$2,613.99.

AUTHORIZATION TO BEGIN UPDATE PROCESS OF TRAFFIC ORDINANCE: Steve Echternach stated that the traffic ordinance needs to be updated, new developments added, snow emergency routes need re-evaluated and signs need to be documented. The Borough Manager also noted that the updating of the sign program can also be accomplished at the same time. The Borough Manager stated that she is asking for permission to begin the process to update the traffic ordinance, and anticipate the legal and advertising costs to be included in the 2017 budget.

Will Hutchinson made a motion, seconded by Bob Bennethum and passed unanimously to authorize the Police Chief and Borough Manager to begin the process of updating the traffic ordinance.

OTHER BUSINESS: None.

CITIZENS' COMMENTS: Boy Scouts Sawyer and Bryce introduced themselves and said they were working on a Communication Merit Badge.

EXECUTIVE SESSION – PERSONNEL ITEM: Ray Garraffa adjourned the meeting into an Executive Session to discuss a personnel item at 7:37 p.m.

The regular meeting was reconvened at 7:49 p.m. at which time Will Hutchinson made a motion, seconded by Jim Rice and passed unanimously to promote Wayne Breneman to a full-time position in the Public Works Department effective July 1, 2016.

ADJOURNMENT: A motion was made by Will Hutchinson, seconded by Jim Rice and passed unanimously to adjourn the meeting at 7:49 p.m.

Respectfully submitted,

Lisa M. Boyd, Borough Manager

2016-32
STRASBURG BOROUGH COUNCIL
JULY 12, 2016
MINUTES

Members Present: Mike Chiodo Ray Garraffa
 Bruce Ryder Will Hutchinson
 David Dunn

Others Present:
 Henry Miller, Mayor Zach Vinette
 Lisa M. Boyd, Borough Manager David Klufkee
 F. Steven Echternach, Chief of Police Connie Babcock
 Cindy Hummel, Lancaster Newspapers

CALL TO ORDER AND PLEDGE TO THE FLAG: Council President Mike Chiodo called the meeting to order at 7:30 p.m., followed by the salute to the flag. President Chiodo announced that the meeting is being audiotaped and maintained until the minutes are approved. The Borough Manager took the roll call.

REQUESTS TO BE HEARD: None.

WELCOME NEW COUNCIL MEMBER – DAVID DUNN: President Chiodo announced that David Dunn was sworn in by Mayor Miller just prior to tonight's meeting. President Chiodo welcomed Mr. Dunn and thanked him for his willingness to serve.

MINUTES OF JUNE 14, 2016: A motion was made by Will Hutchinson, seconded by Ray Garraffa to approve the minutes of the June 14, 2016 meeting as printed. Motion carried with members Garraffa, Hutchinson and Dunn casting assenting votes. Members Chiodo and Ryder abstained from voting because they were not in attendance for the meeting.

REPORTS:

MAYOR – Mayor Miller had nothing to report.

PRESIDENT – President Chiodo thanked Ray Garraffa for leading the June 14, 2016 meeting.

MANAGER – The Borough Manager provided her written report dated July 8, 2016 and added that the Historical Architectural Review Board Ordinance will be advertised and acted upon at the August 9, 2016 meeting.

POLICE – The Police Department's report for June 2016 was received and accepted.

PUBLIC WORKS – The Public Works report for June 2016 was received and accepted.

ZONING OFFICER – The Zoning Officer's report for June 2016 was received and accepted.

TREASURER – A motion was made by Ray Garraffa, seconded by Will Hutchinson and passed unanimously to accept and file for audit the Treasurer's Report for the period ending June 30, 2016.

2016-33

CONSENT AGENDA: A motion was made by Will Hutchinson, seconded by Ray Garraffa and passed unanimously to approve the following items on the Consent Agenda:

PAYMENT OF BILLS IN THE AMOUNT OF \$82,870.55

HISTORIC ARCHITECTURAL REVIEW BOARD CERTIFICATES OF
APPROPRIATENESS – 122 EAST MAIN STREET AND 22 WEST MAIN
STREET

APPOINTMENT OF UNIFORM CONSTRUCTION CODE BOARD OF APPEALS
APPOINT COMMITTEE MEMBER – LISA M. BOYD

APPOINTMENT OF UNIFORM CONSTRUCTION CODE BOARD OF APPEALS
MEMBER – KEN JOHNSON

APPROVAL OF LANCASTER COUNTY CONSERVATION DISTRICT
MEMORANDUM OF UNDERSTANDING

UNFINISHED BUSINESS: None.

NEW BUSINESS:

NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) COMPLIANCE

DISCUSSION: Chief Echternach briefly explained the National Incident Management System (NIMS) which was outlined in the article provided to each member from the PSAB magazine. He explained that each member will need to be certified either by attending a class provided by him or completing the course online. It was the consensus of the members that a class provided by Chief Echternach on a Tuesday evening would be preferable. Chief Echternach will send out some suggested dates for this training.

MID-YEAR FINANCIAL OVERVIEW: The Borough Manager provided and briefly reviewed her Mid-Year Financial Review memorandum dated July 8, 2016 and summarized that we are on target with the budgeted 2016 revenues and expenses.

OTHER BUSINESS: Chief Echternach stated that the way we have handled high grass and weeds violations in the past is that if it is an ongoing construction project that they are not held to the same standard of the ordinance and he wanted to verify that Council wished to continue this process. It was the consensus of the members to continue with this same process.

Chief Echternach also asked for Council's direction regarding basketball hoops placed along roadways. Chief Echternach stated that he polled other municipalities and police departments and found that some prohibit it and some allow it as long as it is not a problem. He surveyed the town and found that there are 44 basketball hoops in the community, of which 11 are on the street (some on through streets, some on dead ends and some on cul-de-sacs) and some have been there for a long time. Ray Garraffa asked and Chief Echternach replied that the police are not aware of any accident or injuries as a result of a basketball hoop in the roadway. Bruce Ryder stated that he is more concerned about children playing on the roadway on a through street. Members were asked to consider this and place this on the next agenda for discussion.

CITIZENS' COMMENTS: Zach Vinette and David Klufkee, members of Troop 56, stated that they were in attendance and are working on a communications merit badge.

2016-34

ADJOURNMENT: A motion was made by Ray Garraffa, seconded by Will Hutchinson and passed unanimously to adjourn the meeting at 7:53 p.m.

Respectfully submitted,

Lisa M. Boyd
Borough Manager

2016-35
STRASBURG BOROUGH COUNCIL
AUGUST 9, 2016
MINUTES

Members Present: Mike Chiodo Ray Garraffa
 Bruce Ryder Will Hutchinson
 David Dunn Bob Bennethum

Others Present:
 Henry Miller, Mayor Tom Lainhoff
 Lisa M. Boyd, Borough Manager Ben Smoker
 F. Steven Echternach, Chief of Police Naomi Smoker

CALL TO ORDER AND PLEDGE TO THE FLAG: Council President Mike Chiodo called the meeting to order at 7:30 p.m., followed by the salute to the flag. President Chiodo announced that the meeting is being audiotaped and maintained until the minutes are approved. The Borough Manager took the roll call.

REQUESTS TO BE HEARD: None.

MINUTES OF JULY 12, 2016: A motion was made by Ray Garraffa, seconded by Will Hutchinson to approve the minutes of the July 12, 2016 meeting as printed. Motion carried with members Chiodo, Garraffa, Ryder, Hutchinson and Dunn casting assenting votes. Member Bennethum abstained from voting because he was not in attendance for the meeting.

REPORTS:

MAYOR – Mayor Miller had nothing to report.

PRESIDENT – President Chiodo stated that he noticed the new street signs are being installed. The Borough Manager stated that, due to a state requirement, the street signs are being replaced in phases as budgeted.

MANAGER – The Borough Manager provided her written report dated August 9, 2016 and reminded the members that the Safety Committee minutes are provided monthly and by having a Safety Committee, the Borough saves 5% on our Workers' Compensation insurance. She also provided an update regarding a stormwater issue at 17 South Decatur Street which is being researched and will provide an additional update at a future meeting. Asplundh notified us that they are beginning the required tree trimming for PPL and we are asking them to be sensitive to our desire to promote street trees and not butcher the trees. She also reported that the annual tree/bush inspection will be completed Thursday and Rutter's began blasting today and the notice has been placed on the Borough's website.

POLICE – The Police Department's report for July 2016 was received and accepted.

PUBLIC WORKS – The Public Works report for July 2016 was received and accepted.

ZONING OFFICER – The Zoning Officer's report for July 2016 was received and accepted.

HISTORICAL ARCHITECTURAL REVIEW BOARD CERTIFICATE OF APPROPRIATENESS – 132 MILLER STREET

– Ben and Naomi Smoker were in attendance and Mr. Smoker stated that at the HARB meeting, not pressure washing was discussed and recommended by HARB. However, Mr. Smoker explained that his contractor said that pressure washing out the grindings is necessary in order for them to do a good job with removing all of the particles and is also recommended in the Preservation Brief. Mr. Smoker stated that his contractor is proposing a low pressure wash and he asked that Council consider this change and added that his contractor advised that if the joints were blown out with air, it would create a lot of dust in the neighborhood. Tom Lainhoff asked if the Preservation Brief calls for pressure washing or using water, to which Mr. Smoker stated it says to rinse with a gentle water to remove all loose particles and dust. Mr. Smoker stated that he prefers not a lot of pressure and his contractor is proposing to use a little more than a fine mist but needs more than the flow from a water hose. Tom Lainhoff stated that he was concerned with the damage that machine pressure washing could cause and stated that compromises were already made by HARB to allow the repointing and asked that only water pressure from a hose with a nozzle be allowed to prevent damage. David Dunn and Bruce Ryder agreed that only a low pressure wash should be used to wash out the dust from the joints. David Dunn made a motion, seconded by Ray Garraffa and passed unanimously to approve the Certificate of Appropriateness for 132 Miller Street with the change that they are allowed to use low pressure water to clean out the joints and mist as necessary.

CONSENT AGENDA: A motion was made by Will Hutchinson, seconded by Bruce Ryder and passed unanimously to approve the following items on the Consent Agenda:

PAYMENT OF BILLS IN THE AMOUNT OF \$159,327.04

HISTORIC ARCHITECTURAL REVIEW BOARD CERTIFICATE OF APPROPRIATENESS – 144 EAST MAIN STREET

ADOPTION OF 2017 BUDGET CALENDAR

UNFINISHED BUSINESS:

BASKETBALL HOOPS DISCUSSION: Chief Echternach stated that this was discussed at the last meeting and that it is his recommendation that a decision be made by Council regarding all basketball hoops placed along the roadway. Chief Echternach stated that some of the basketball hoops have been placed along the roadway for a long time and the original complaint only came in about one but all need to be treated the same. It was the consensus that children should not be playing in the street because it is not safe. Bob Bennethum stated that there are two different parks in the Borough with public basketball courts that are open to the public for children to play.

Bob Bennethum made a motion, seconded by Bruce Ryder and passed unanimously to establish a policy to not allow basketball nets to be placed along any street in the Borough and the Borough Manager and Police Chief will send a letter to all violators advising them to be removed.

ENACTMENT OF UPDATED HISTORICAL ARCHITECTURAL REVIEW BOARD ORDINANCE 2016-2:

President Chiodo stated that the ordinance has been advertised and available for public inspection as required by the Borough Code.

2016-37

Bruce Ryder made a motion, seconded by Ray Garraffa and passed unanimously to enact Ordinance 2016-2 which amends the Historical Architectural Review Board Ordinance.

NEW BUSINESS: None.

OTHER BUSINESS: The Borough Manager stated that she has noticed a lot of weeds along the curbs this year and through a cooperative effort, Strasburg Township's licensed sprayer is willing to spray the weeds in the gutter up against the curb. It was the consensus of the members that this is a good idea and they support this project.

CITIZENS' COMMENTS: Will Hutchinson stated that he is pleased that almost every property owner in Strasburg Borough takes very good care of their properties.

ADJOURNMENT: A motion was made by Bruce Ryder, seconded by Ray Garraffa and passed unanimously to adjourn the meeting at 8:19 p.m.

Respectfully submitted,

Lisa M. Boyd
Borough Manager

2016-38
STRASBURG BOROUGH COUNCIL
SEPTEMBER 13, 2016
MINUTES

Members Present: Mike Chiodo Bruce Ryder
 Will Hutchinson Jim Rice
 David Dunn Bob Bennethum

Others Present:
 Henry Miller, Mayor Cody Swords
 Lisa M. Boyd, Borough Manager LaJune Ranck
 F. Steven Echternach, Chief of Police Jeff Kenderdine
 Cindy Hummel, Lancaster Newspapers Terri Lausch
 Barbara Rathbone-Frank May Gaynor
 Bill Gretton

CALL TO ORDER AND PLEDGE TO THE FLAG: Council President Mike Chiodo called the meeting to order at 7:30 p.m., followed by the salute to the flag. President Chiodo announced that the meeting is being audiotaped and maintained until the minutes are approved. The Borough Manager took the roll call.

REQUESTS TO BE HEARD:

PROPOSED AMENDMENTS TO LANCASTER FAMILY YMCA LEASE/LAMPETER-STRASBURG BRANCH – JEFF KENDERDINE: Jeff Kenderdine, President/CEO of the Lancaster Family YMCA was in attendance and reviewed the history of the YMCA and stated that they are proposing two amendments to the lease:

1. A modification of the board requirement to change the membership number of the board from 15 to a range of 10-24 members. This is being suggested so they can remain in compliance due to vacancies on the board and because of the difficulty they have in trying to have two qualified and interested members from every municipality.

2. Removing the 10% L-S District resident discount by discontinuing the program fee discount beginning January 1, 2017 and phasing out the membership dues discount by reducing it to 6% in 2017, 3% in 2018 and eliminated beginning January 1, 2019.

Mr. Kenderdine stated that some of the reasons needed to reduce and eliminate the discounts are because they provide financial assistance in the amount of approximately \$50,000-\$60,000 a year to eligible Lampeter-Strasburg participants (and an additional approximate \$10,000-\$15,000 to non Lampeter-Strasburg residents) and they face increased costs similar to every business. He noted that this discount has remained intact for seven years and they are also winding down corporate discounts. He also noted that the YMCA does not receive any tax funding. He also stated that approximately 40% of the members at the Lampeter-Strasburg facility receive the 10% discount.

Mr. Kenderdine stated that these amendments were approved by West Lampeter Township last night, after being reviewed and recommended by their Solicitor, with one change to retain at least two members from West Lampeter Township on the Board because the facility is located

2016-39

on their property. Mr. Kenderdine stated that they are presenting these changes to Strasburg Township and the Lampeter-Strasburg School District at their next meetings.

Bob Bennethum stated that he was not in favor of the discount being eliminated because when the lease was created, it was known and voted on a 29 year commitment and was put in place to get everybody involved, get the support to build and start the YMCA. He suggested making sure activities such as bus trips, that only a few people take advantage of, are appropriately priced to cover their costs instead of losing money. He also suggested raising the price 5% across the board (which would still leave the L-S residents with a 5% savings over their current rates). Mr. Kenderdine replied that would put their rates too high for the market and the price is the same across all of their facilities and they would have to increase the fee to all of their facilities to make up for the 10% discount here. Mr. Kenderdine also stated that they have not had a price increase in three years.

Bruce Ryder stated that he understands the YMCA's financial squeeze and he wants to be able to consider alternate solutions. He added that they need to live within their budget and may need to cut costs. He also stated he would like at least one Strasburg Borough member on the board because of the history of how this YMCA was formed with the discontinuation of our local joint recreation commission.

Bob Bennethum asked about a breakdown of actual numbers regarding financial aid by municipality. Mr. Kenderdine stated that their current statistics do not capture information by resident street address but they could provide the information if requested by Council.

It was the consensus of the members to table the request to allow Council members to develop a list of questions to be asked of the YMCA and then review and discuss their responses prior to action. Questions should be submitted to the Borough Manager who will forward them to Mr. Kenderdine.

May Gaynor said she would like to see a breakdown by age and added that they should seek input from their members. She also stated that she is a member and received an email but it was not clearly marked that it was from the YMCA.

PROPOSED ZONING ORDINANCE UPDATE IN STRASBURG TOWNSHIP REGARDING DOG KENNELS – BARB RATHBONE-FRANK AND LAJUNE RANCK:

Barb Rathbone-Frank was in attendance and stated that she provided information to the members regarding a proposed Strasburg Township Zoning Ordinance change regarding dog kennels. She detailed several concerns in the documents she provided to the members. She added that Strasburg Township is welcoming suggestions because they are concerned with dog kennels and the welfare of the animals. One of the items she is concerned with is they are considering to reduce setbacks, noting that while she recognizes the need to be able to obtain evidence regarding the condition of the kennel to obtain a search warrant, a dog barking in the Township with a reduced setback could be heard in the Borough and current Ordinances do not allow for the Strasburg Police to respond. Chief Echternach also noted that the State Police does not respond to Ordinance violations. Another concern expressed by Barb Rathbone-Frank was the depreciation of property values due to neighboring dog kennels.

2016-40

LaJune Ranck stated that she researched puppy mills and found that Lancaster County is the capital of puppy mills on the East Coast. She asked if information could be included in the Borough's newsletter and website regarding where to get help for dog barking violations in the Township.

Bruce Ryder stated that because we have citizens who have expressed concern, we could advise Strasburg Township that we would appreciate if they would share drafts of the proposed ordinance for review and comment ahead of time. Mike Chiodo stated we will keep Barb Rathbone-Frank and LaJune Ranck posted.

MINUTES OF AUGUST 9, 2016: A motion was made by Bruce Ryder, seconded by Bob Bennethum to approve the minutes of the July 12, 2016 meeting as printed. Motion carried with members Chiodo, Ryder, Hutchinson, Dunn and Bennethum casting assenting votes. Member Rice abstained from voting because he was not in attendance for the meeting.

REPORTS:

MAYOR – Mayor Miller had nothing to report.

PRESIDENT – President Chiodo had nothing to report.

MANAGER – The Borough Manager provided her written report dated September 12, 2016 and stated that the quarterly LCBA meeting will be held on September 28, 2016 and the Borough Banquet will be held on October 20, 2016. President Chiodo stated that he has reviewed the results of the Pension Funds so far this year and they have been very good with year to date returns of 6.59% on the Police Plan and 6.60% on the Non-Uniformed Plan.

POLICE – The Police Department's report for August 2016 was received and accepted.

PUBLIC WORKS – The Public Works report for August 2016 was received and accepted.

ZONING OFFICER – The Zoning Officer's report for August 2016 was received and accepted.

CONSENT AGENDA: A motion was made by Bruce Ryder, seconded by Will Hutchinson to approve the following items on the Consent Agenda and the motion carried with members Chiodo, Ryder, Hutchinson, Rice and Bennethum casting assenting votes and member Dunn abstained from voting because of the Rails and Ales event and he is a PHMC employee:

PAYMENT OF BILLS IN THE AMOUNT OF \$74,237.19

RATIFY AND CONFIRM MEMBERSHIP OF SAFETY COMMITTEE

SCHEDULE TRICK-OR-TREATE DATE – MONDAY, OCTOBER 31

FROM 6-8 P.M.

ACKNOWLEDGEMENT OF 2017 PENSION MINIMUM MUNICIPAL

OBLIGATIONS (POLICE \$81,328, NON-UNIFORMED \$57,931)

APPROVAL OF STRASBURG FIRE POLICE TO ASSIST AT 2017 RAILS AND

ALES CRAFT BEER TASTING FESTIVAL

2016-41

The Borough Manager noted that the 2017 Pension Minimum Municipal Obligations are lower and during the 2017 Budget she will be recommending that the difference between the 2016 and 2017 MMO's be sent toward the unfunded liabilities. She provided an unfunded liability history and she is pleased to report that the new unfunded liabilities were just recalculated by the actuary and we are down to an unfunded amount of \$309,000 in the Police plan and \$67,000 in the Non-Uniformed plan. She noted that our highest historical unfunded amounts were \$507,000 in the Police plan and \$252,000 in the Non-uniformed plan.

UNFINISHED BUSINESS: None.

NEW BUSINESS: None.

OTHER BUSINESS: None.

CITIZENS' COMMENTS: May Gaynor stated that she is an active member of the YMCA and she believes some of the problem with the YMCA is they do not listen to their members. She also stated that the YMCA should review their dues table and create a two person (couple) membership because currently they pay the same as a large family who utilizing more programs and the childcare. She also suggested that the Council should be provided with the financial guidelines for how the YMCA issues the financial aid scholarships. Mike Chiodo stated that her questions and suggestions will be included in the Council's request for information from the YMCA. Bob Bennethum asked Mrs. Gaynor to provide her questions and suggestions in writing to the Borough Manager.

ADJOURNMENT: A motion was made by Bruce Ryder, seconded by Jim Rice and passed unanimously to adjourn the meeting at 8:47 p.m.

Respectfully submitted,

Lisa M. Boyd
Borough Manager

2016-42
STRASBURG BOROUGH COUNCIL
OCTOBER 11, 2016
MINUTES

Members Present: Mike Chiodo Ray Garraffa
 Bruce Ryder Will Hutchinson
 Jim Rice David Dunn
 Bob Bennethum

Others Present:
 Henry Miller, Mayor Cody Swords, YMCA
 Lisa M. Boyd, Borough Manager Bill Koch
 F. Steven Echternach, Chief of Police Jeff Kenderdine, YMCA
 Cindy Hummel, Lancaster Newspapers May Gaynor
 Mike Lockard Scott Weichler

CALL TO ORDER AND PLEDGE TO THE FLAG: Council President Mike Chiodo called the meeting to order at 7:30 p.m., followed by the salute to the flag. President Chiodo announced that the meeting is being audiotaped and maintained until the minutes are approved. The Borough Manager took the roll call.

REQUESTS TO BE HEARD:

CONTINUED DISCUSSION REGARDING PROPOSED AMENDMENTS TO LANCASTER FAMILY YMCA LEASE/LAMPETER-STRASBURG BRANCH – JEFF KENDERDINE:

Jeff Kenderdine, President/CEO of the Lancaster Family YMCA was in attendance and apologized for not providing a better history of the YMCA and its challenges prior to the last meeting. The Borough Manager forwarded Mr. Kenderdine a list of questions regarding the YMCA and his responses were provided to each of the members. Mr. Kenderdine explained that they are proposing a first amendment to the lease which includes the following:

1. A modification of the board requirement to change the membership number of the board from 15 to a range of 10-24 members. This is being suggested so they can remain in compliance due to vacancies on the board and because of the difficulty they have in trying to have two qualified and interested members from every municipality.
2. Retaining one Strasburg Borough resident member on the board.
3. Starting on January 1, 2017 to begin to discontinue the 10% discount for Lampeter-Strasburg residents with phasing it out over several years.

Bruce Ryder stated that with the Borough Manager's assistance, he reviewed the Recreation plan and other historical documents and is less resistant to the change because they are proposing to phase out the discount over several years. He also stated that after research, he discovered that a municipality does not have a requirement to provide recreation and by eliminating the discount, we are not violating a municipal requirement. In fact, Mr. Ryder stated that the L-S Recreation Commission was formed in response to a desire of the residents and that evolved into the YMCA because of the need for facilities.

Mr. Kenderdine stated that this has been approved by West Lampeter Township and has been presented to the Lampeter-Strasburg School District and Strasburg Township. He also

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stated that they are reviewing their pricing and reviewing all options as well as evaluating ways to reduce costs.

Bruce Ryder asked if Mr. Kenderdine could provide a specific proposal of the discount elimination plan and possibly still retain a token discount for L-S residents? It was the consensus that the Borough Manager should consult with the other parties of the agreement.

May Gaynor asked if they have statistics of the number of active adults who are receiving the discount and about insurance discounts they are phasing out? Mr. Kenderdine stated he does not have that number and that they are phasing out the Healthways Prime insurance program but are not phasing out the Medicare/Medicaid Silver Sneakers program. May Gaynor had additional questions for Mr. Kenderdine and Mike Chiodo suggested she make an appointment to meet with Mr. Kenderdine at the YMCA.

MINUTES OF SEPTEMBER 13, 2016: A motion was made by Ray Garraffa, seconded by Will Hutchinson and passed unanimously to approve the minutes of the September 13, 2016 meeting as corrected.

REPORTS:

MAYOR – Mayor Miller reported that the paving on Funk Street is really rough. The Borough Manager stated that Funk Street was oil and chipped and we have discovered that we will not be doing that kind of street maintenance again.

PRESIDENT – President Chiodo had nothing to report.

MANAGER – The Borough Manager provided her written report dated October 7, 2016 and reminded the members of the upcoming recognition banquet. Street sweeping will also be done this week.

POLICE – The Police Department's report for September 2016 was received and accepted. Chief Echternach stated that he recently toured the Rutter's Farm Store that is under construction and learned that they are installing a beer cooler. After reviewing the plans, he informed them that a beer cooler was not included on their plans and we are currently awaiting a response from Rutter's. Chief Echternach stated that during the plan review process he was asked if he thought the Rutter's would have any impact on the community which he stated he did not believe a convenience store alone would have an impact because we were not told they were proposing to sell alcohol. However, Chief Echternach now wants to go on record that if there is a liquor license at the Rutter's he does not know what the impact may be on the police department. He did note that the state liquor laws have changed since Rutter's obtained their use approval and he is researching what type of liquor license they may or may not be applying for and that may affect how he staffs the department. An update will be provided when more information is received.

PUBLIC WORKS – The Public Works report for September 2016 was received and accepted.

ZONING OFFICER – The Zoning Officer's report for September 2016 was received and accepted.

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CONSENT AGENDA: A motion was made by Jim Rice, seconded by Bob Bennethum and passed unanimously to approve the following items on the Consent Agenda:

PAYMENT OF BILLS IN THE AMOUNT OF \$394,510.72
HISTORICAL ARCHITECTURAL REVIEW BOARD CERTIFICATE OF
APPROPRIATENESS – 11 EAST MAIN STREET

UNFINISHED BUSINESS: None.

NEW BUSINESS:

ADOPTION OF TRAFFIC SIGNAL APPLICATION APPROVAL RESOLUTION 2016-

5: Will Hutchinson made a motion, seconded by Ray Garraffa and passed unanimously to approve Resolution 2016-5 which authorizes the Borough Secretary to sign paperwork and plans pertaining to the traffic signal located on the bypass at the Rutter's Farm Store.

REVIEW OF 2017 DRAFT BUDGET AND CAPITAL IMPROVEMENTS PROGRAM:

Mike Chiodo stated that the Borough Manager provided a memorandum regarding the 2017 Draft Budget and was thanked for providing the detailed information. The Borough Manager stated that she has a great staff and receives input from all departments. She reviewed the budget process and reminded the members that at the next meeting, the 2017 Capital Improvements Projects are to be approved.

The Borough Manager reviewed the 2017 Draft Budget and explained that it does propose a .10 mill tax increase and the main reason is for the mandated MS4 improvements. The 2017 Draft Budget did not include the additional funds being requested by the Strasburg Fire Company because even with a proposed tax increase, that only left us with a 4.26% fund balance (and the policy is to have at least a 5% fund balance). She did note that since this draft was prepared, we did learn that we should receive additional Earned Income Tax revenue in 2016 and 2017. The Borough Manager reviewed other options for eliminating the tax increase and/or including the additional donation to the Fire Company. The Borough Manager reminded the members that some of the revenues are one-time revenues (such as building permits and transfer taxes for new homes) and that we need to make sure we are collecting enough revenues to meet the expenses.

The Borough Manager reviewed the additional request from the Strasburg Fire Company reminding the members that we have been donating \$35,000 per year, pay for their audit, pay for the workers' compensation insurance, and have a reserve fund where we have been putting .1 mill of each year's assessment. Their additional request is to raise the annual reserve fund allocation to .15 mill, which will be approximately \$9,000 additional this year.

Bruce Ryder stated that the library's donation request letter stated that they have about a \$9,000 deficit and suggested considering an additional donation to the library in the 2017 budget.

OTHER BUSINESS: None.

CITIZENS' COMMENTS: Bill Koch stated that the Fire Company does not want to be the reason for a tax increase but they wanted to ask now so they could start building up additional revenue instead of having to come in a few years and ask for a large donation. Will Hutchinson stated that a new small ladder truck costs approximately \$735,000. Bill Koch said they have

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several trucks that are over 20 years old and they did a special equipment replacement fund drive this year in anticipation for their future replacement. Bruce Ryder suggested possibly including a smaller one-time donation in the budget if we are unable to fund the full request without a tax increase.

ADJOURNMENT: A motion was made by Ray Garraffa, seconded by Jim Rice and passed unanimously to adjourn the meeting at 8:38 p.m.

Respectfully submitted,

Lisa M. Boyd
Borough Manager

2016-46
STRASBURG BOROUGH COUNCIL
NOVEMBER 8, 2016
MINUTES

Members Present: Mike Chiodo Ray Garraffa
 Bruce Ryder Will Hutchinson
 Jim Rice David Dunn
 Bob Bennethum

Others Present:
 Henry Miller, Mayor Jeff Kenderdine, YMCA
 Lisa M. Boyd, Borough Manager May Gaynor
 F. Steven Echternach, Chief of Police Cindy Hummel, Lancaster Newspapers

CALL TO ORDER AND PLEDGE TO THE FLAG: Council President Mike Chiodo called the meeting to order at 7:30 p.m., followed by the salute to the flag. President Chiodo announced that the meeting is being audiotaped and maintained until the minutes are approved. The Borough Manager took the roll call.

REQUESTS TO BE HEARD:

CONTINUED DISCUSSION REGARDING PROPOSED AMENDMENTS TO LANCASTER FAMILY YMCA LEASE/LAMPETER-STRASBURG BRANCH – JEFF KENDERDINE: Jeff Kenderdine, President/CEO of the Lancaster Family YMCA was in attendance and stated that the amendment was discussed by Strasburg Township Supervisors and the Lampeter-Strasburg School Board but a decision has not yet been made. A modified amendment has been approved by West Lampeter Township.

Mr. Kenderdine reported that the YMCA reviewed the plan to eliminate the 10% discount and is proposing to reduce the discount 2% per year for years 1-4 and then review their position for the remaining 2%. Mr. Kenderdine stated that the amendment would need to be approved by each participant in the agreement which includes West Lampeter Township, Strasburg Township, Strasburg Borough and the Lampeter-Strasburg School District.

Bruce Ryder suggested a committee be formed consisting of a member from each of the bodies to meet to discuss the issues. The representative would report back to its respective board and the board would still make the final decision. It was discussed that other members could attend but we would have to ensure that a quorum is not present unless the meeting is advertised. The Borough Manager will coordinate with Mr. Kenderdine to contact the remaining members to set up a meeting.

MINUTES OF OCTOBER 11, 2016: A motion was made by Ray Garraffa, seconded by Dave Dunn and passed unanimously to approve the minutes of the October 11, 2016 meeting as printed.

REPORTS:

MAYOR – Mayor Miller stated he was happy that Funk Street will be paved in 2017.

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PRESIDENT – President Chiodo stated that he was sorry to report that the Halloween Parade had to be canceled due to inclement weather.

MANAGER – The Borough Manager provided her written report dated November 7, 2016 and stated that there will be some vacancies on boards due to some existing members not seeking reappointment. She also reported that a draft of the Water Allocation Report draft is available and open for comments until November 23, 2016.

The Borough Manager also attended an inspection at 8-10 East Main Street with the Building Inspector and the contractors. She reported that the contractors have been working on the structural improvements in the basement and even though the work is proceeding slowly, the Building Inspector is impressed with the basement structural work done so far. She added that some of the other work completed by the contractors includes the first floor is supported and the building is safe to be entered if necessary by emergency responders. She reminded the members that the building remains condemned and public access to the building is limited to only the contractors and the inspector. An issue with the quality of the repointing was raised and she issued a repointing cease and desist order. She has been working with Councilmember Dave Dunn, the contractor and HARB Member Chris Lainhoff to resolve the repointing issue. Mr. Dunn stated that the current condition of the exterior of the building is the result of one decent restoration in the 1960's and several not so good restoration processes where the façade was sandblasted and pointed using Portland cement which is too hard for the bricks. HARB requires a repointing sample section prior to allowing the contractor to continue, and that sample area was unsuccessfully attempted by the contractor. Mr. Dunn stated that the contractor needs to take his time and used an angle saw with a very thin blade down the middle of the mortar joint and then a chisel to carefully remove the Portland mortar, noting that this is a challenging project even for a good mason. Mr. Dunn stated that it is now not warm enough for the repointing and Chris Lainhoff suggested and Mr. Dunn agrees that the repointing should wait to be done until Spring 2017 and that only the areas that have no mortar should be repointed. The Borough Manager stated that the building will remain condemned until all of the structural safety issues have been completed. It was the consensus that since the contractor is making progress and they are doing good work inside that they will be permitted to continue working on the necessary repairs excluding the repointing.

POLICE – The Police Department's report for October 2016 was received and accepted. Chief Echternach stated that their call volume has increased and will soon surpass the number of calls in 2015.

PUBLIC WORKS – The Public Works report for October 2016 was received and accepted.

ZONING OFFICER – The Zoning Officer's report for October 2016 was received and accepted.

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CONSENT AGENDA: A motion was made by Bruce Ryder, seconded by Will Hutchinson and passed unanimously to approve the following items on the Consent Agenda:

PAYMENT OF BILLS IN THE AMOUNT OF \$87,370.03
HISTORICAL ARCHITECTURAL REVIEW BOARD CERTIFICATES OF
APPROPRIATENESS – 115 EAST MAIN STREET AND 124 SOUTH
DECATUR STREET
REDUCTION IN LETTER OF CREDIT – NORTHFIELD PARTNERS
ADD ROTH OPTION TO EXISTING EMPLOYEE PAID DEFERRED
COMPENSATION PROGRAM

UNFINISHED BUSINESS: None.

NEW BUSINESS:

RUTTER'S FARM STORE'S REQUEST FOR LIQUOR LICENSE – SCHEDULE

HEARING DATE: Chief Echternach stated that Rutter's is pursuing purchasing a license from the Back Page Restaurant in Leola. He stated it is his understanding that it is a restaurant license which would permit them from selling liquor from 7 am until 2 am but according to Rutter's representatives, they are initially considering only partially utilizing the license. He noted that the liquor license regulations have recently been changed by legislature and additional changes may be coming in the future. Chief Echternach stated that he is concerned with his Police Department staffing for two reasons: 1) the potential hours for Rutter's selling liquor, noting that the bars in town only stay open until 2 am on Friday and Saturday nights but Rutter's could be selling until 2 am every night, and 2) other new businesses in town such as the Holiday Inn Express. The Borough Manager stated that we are required to schedule and hold a hearing to consider the liquor license request within 45 days.

Dave Dunn made a motion, seconded by Ray Garraffa and passed unanimously to schedule the Rutter's Farm Store's Liquor License hearing date for the December 13, 2016 Borough Council meeting and authorize the advertisement of the hearing.

APPROVAL OF CAPITAL IMPROVEMENTS PROGRAM: The Borough Manager stated that the only change since last month in the 2017 projects is the paving of Funk Street.

Ray Garraffa made a motion, seconded by Jim Rice and passed unanimously to approve year 2017 in the 5-year Capital Improvements Program dated November 8, 2016.

APPROVAL OF 2017 PRELIMINARY BUDGET AND AUTHORIZATION TO

ADVERTISE FOR PUBLIC INSPECTION: Mike Chiodo noted that the 2017 Preliminary Budget does not require a real estate tax increase. The Borough Manager stated that the tax increase was eliminated because some additional revenues came to light and our expenses are able to be covered with no tax increase. She also stated that the current budget shows a 5.56% ending balance before additional donations are considered. Bruce Ryder stated that he is in favor of retaining a 5% fund balance and recommends dividing the additional \$7,000 equally between the Strasburg Fire Company and the Strasburg-Heisler Library. Mike Chiodo asked about the donation request for the Strasburg Community Park Foundation and Bruce Ryder stated that representatives indicated to the Borough Manager that they were not in favor of a tax increase in

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order to fund their request. Bruce Ryder suggested considering additional donations in January or February 2017 after the actual expenses for the remainder of 2016 are known.

Ray Garraffa made a motion, seconded by Will Hutchinson and passed unanimously to approve the 2017 Preliminary Budget, which does not include a real estate tax increase, and adds an additional one-time \$3,500 donation each to the Strasburg Fire Company and the Strasburg-Heisler Library, leaving a 5% fund balance and to authorize the Borough Manager to advertise it for public inspection.

2017 TAX LEVY ORDINANCE 2016-3 – AUTHORIZATION TO ADVERTISE: Bruce Ryder made a motion, seconded by Ray Garraffa and passed unanimously to authorize the Borough Manager to advertise the Tax Levy Ordinance 2016-3 with the tax rate remaining at 3.28 mills for the Borough of Strasburg for 2017.

OTHER BUSINESS: The Borough Manager stated that plans have been submitted by the Fireside Tavern to show the handicapped parking spaces that are up front, which are in compliance and officially shown on the plan. She stated that the plans have been reviewed by the Borough Engineer and recommends approval.

Will Hutchinson made a motion, seconded by Bob Bennethum and passed unanimously to accept the revised handicapped parking plans for the Fireside Tavern.

CITIZENS' COMMENTS: May Gaynor stated that she appreciates the Council's position to advocate for the citizens who are members of the YMCA. She expressed her concern regarding the YMCA's insurance company discounts and family pricing.

Jim Rice made a motion, seconded by Ray Garraffa and passed unanimously to appoint Will Hutchinson to serve as Strasburg Borough's representative on a joint committee to discuss the YMCA.

ADJOURNMENT: A motion was made by Jim Rice, seconded by Ray Garraffa and passed unanimously to adjourn the meeting at 8:41 p.m.

Respectfully submitted,

Lisa M. Boyd
Borough Manager

2016-50
STRASBURG BOROUGH COUNCIL
DECEMBER 19, 2016
MINUTES

Members Present: Mike Chiodo Ray Garraffa
 Bruce Ryder Will Hutchinson
 Jim Rice Bob Bennethum

Others Present:

 Lisa M. Boyd, Borough Manager Larry Heim
 F. Steven Echternach, Chief of Police David Martineau, M&G Realty's Solicitor
 Chad Umble, Lancaster Newspapers Christy Della Rova, Court Reporter
 Kaiden Kirchner Keith Kirchner
 Bill Koch

CALL TO ORDER AND PLEDGE TO THE FLAG: Council President Mike Chiodo called the meeting to order at 7:30 p.m., followed by the salute to the flag. President Chiodo announced that the meeting is being audiotaped and maintained until the minutes are approved. The Borough Manager took the roll call.

RESCHEDULED MEETING MEMORANDUM: President Chiodo directed that the memorandum regarding the meeting of December 13, 2016 be made part of the minutes of this meeting and they are attached.

MOTION TO RATIFY AND CONFIRM RESCHEDULING OF MEETING AND HEARING: Ray Garraffa made a motion, seconded by Jim Rice and passed unanimously to ratify and confirm the rescheduling of the regular monthly meeting of Borough Council and the continuance of the public hearing regarding the proposed Rutter's Liquor License transfer from Tuesday, December 13, 2016 until Monday, December 19, 2016 at 7:30 p.m.

REQUESTS TO BE HEARD:

RUTTER'S FARM STORE'S LIQUOR LICENSE HEARING – RESOLUTION 2016-8: Mike Chiodo stated that Borough Council will now hold a public hearing of the Application of LCS701921, LLC, for the approval of an intermunicipal transfer of the liquor license to the Rutter's Farm Store located at 405 Historic Drive.

The Borough Manager stated that notice of the public hearing was published in *LNP* In November 18, 2016, and November 25, 2016 as required by the State Liquor Code and that the proof of publication will be made part of the record of this public hearing. She also stated that because the regular monthly meeting of Borough Council had to be rescheduled, notice of the rescheduled monthly meeting and the public hearing was published in *LNP* on December 16, 2016, and was posted at the Borough Office on December 14, 2016, in accordance with the Sunshine Act and that proof of publication for that notice will also be made part of the record of the public hearing. She also stated that a letter from the Borough Solicitor to the attorney for the Applicant dated December 12, 2016, informing him that the hearing on the proposed liquor license transfer was being continued to December 19, 2016, and that the Borough was exercising its right under the Liquor Code to take up to 60 days from the date the Application was submitted

on November 2, 2016, to render a decision and it will be made part of the record of the public hearing.

President Chiodo stated the following:

1. Anyone (including attorneys) who desire to present testimony must first be sworn or affirmed by the Court Reporter.
2. Only one person should speak at the same time in order that the Court Reporter can record the testimony.
3. Any persons who wish to be parties to the hearing for the purpose of preserving appeal rights should identify themselves for the record, the applicant.
4. The Applicant shall present its case first.
5. Other parties may then ask questions of the Applicant's representatives.
6. Borough Council members may ask questions of the Applicant's witnesses. Any questions should be of a non-adversarial nature because Borough Council is acting as a neutral quasi-judicial body in hearing and deciding whether to grant or deny the Application.
7. After the Applicant has presented its evidence, any objectors may present testimony in opposition to the Application.
8. The Applicant's attorney has the right to cross-examine any objectors.
9. After all evidence has been presented, a Motion should be made by a member of Borough Council to close the testimony.
10. The Decision of Borough Council must be made within sixty (60) days of November 2, 2016, which is the date on which the Application was submitted to the Borough.
11. If Borough Council is ready to act on the Application on December 19, one of the following proposed Resolutions should be acted on by Council. Proposed alternative Resolutions have been furnished to the Borough (one of which approves the liquor license transfer and the other of which denies the transfer).

Larry C. Heim and David H. Martineau were sworn in by the Court Reporter.

Larry Heim stated that he is the in-house counsel and Mr. Martineau is outside counsel for the applicant for Application LCS701921, LLC which is a subsidiary of Rutter's Farm Store. He stated that liquor code requires approval by the municipality to allow for the transfer. Mr. Heim provided a drawing of the layout of the Rutter's Farm Store and stated that the blue area will be the licensed area and is set up according to PLCB regulations. He stated that all Rutter's employees that will be selling the beer will have Responsible Alcohol Management Program "RAMP" training, which is the program run by the PLCB. Owner/Managers are required to have additional PLCB training. The hours of operation will be those permitted by the liquor code, which is Monday through Saturday from 7 a.m. until 2 a.m. the next day and Sundays from 9 a.m. until 2 a.m. the next day. Hours when the sale of alcohol is not allowed, beer will not be accessible. The rest of the store, including the seating area, will remain open under an extended hours permit solely for the sale of food because they are open 24 hours a day, 7 days a week. He stated that take-out alcohol is up to the legal limit, which is 192 fluid ounces (which is two 16-ounce six-packs or six quarts) in a single transaction. Single bottles or cans may be purchased and consumed on the premises. Mr. Heim stated that they would prefer that alcohol not be permitted to be consumed on the premises but due to a Supreme Court case, they must allow consumption in order to be considered a retail dispensary. He added that a six-pack could not be purchased and then consumed on-site. He also stated that once the alcohol is opened, it must be

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consumed inside the store and open beverages are not permitted to leave the building and there will be signs. Only beer will be permitted in the beer coolers. He provided a copy of the food menu items which are available for purchase and consumption.

Will Hutchinson asked how the alcohol becomes inaccessible at 2 a.m. to which Mr. Martineau stated they are working on installing an automated locking system and that the area is visible to the clerks who would not permit people to enter the coolers.

Ray Garraffa asked how many employees work at 2 a.m. and Mr. Heim stated that he thought maybe three and added that alcohol products can only be rung up on the cash register in the licensed area.

Bruce Ryder asked about the age of the clerks and Mr. Heim and Mr. Martineau stated that most of the clerks are part-time and over 18 years of age and that the managers and assistant managers are full-time and one of them would be in the store at all times and since all will be RAMP trained, they would be able to handle any unruly customer issues.

Will Hutchinson asked how many Rutter's currently sell beer now to which Mr. Heim stated there are working on getting more licensed and currently have four actively selling: Leola, York, Burks, and Franklin County and they have had no problems with any of them. Mr. Heim stated that their experience is that people do not just go there to drink but a normal customer is someone who needs just one bottle of something for cooking or for people to try something new and you can't purchase just one bottle or can at a distributor. Their atmosphere is not the same as a bar.

Jim Rice asked about their security surveillance system and Mr. Heim stated that there is surveillance on the entire store area and outside, including dedicated cameras on the liquor area.

Steve Echternach, Police Chief, asked the following questions:

1. Even though the sale of alcohol ends at 2 a.m., does the blue area remains open under an extended license to which Mr. Heim stated that the seating area remains open and only the actual area where the alcohol is stored gets closed off.
2. Will there be no loitering signage installed because of a concern that Amish customers may loiter in the parking lot after purchasing six packs of beer on Friday and Saturday nights. Mr. Heim asked if the Borough has an Open Container Ordinance to which Chief Echternach stated we do and Mr. Heim stated that this would be against the law and would not be tolerated and would partner with the Borough to get the word out.
3. Chief Echternach stated that he talked to the Police Chief in Mercersburg where there is a Rutter's that serves alcohol and he said they have had no problems. Chief Echternach stated that he also talked to the East Lampeter Township Police Chief regarding the Leola Rutter's and they have not had any loitering issues but it was noted that their sale of alcohol just started last Friday. He talked to the Police Chief of Shippensburg that has a Sheetz store that sells alcohol and was advised that, at the request of the municipality, they have hired private security to work that store on certain days of the week because of alcohol issues. Mr. Heim agreed that to avoid any nuisance issues with the PLCB, if it would become necessary that they would consider this. Chief Echternach noted that the problem at the Shippensburg Sheetz is retail theft and noted that it is a college town. Mr. Heim stated that the beer cooler at that Sheetz is also out of view of their

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employees and that is one of the reasons they specifically designed the Strasburg store to have the beer coolers in plain view of the clerks.

Keith Kirchner, who owns the beer store across from the Rutter's Farm Store, stated that he has had his business there for almost six years and he just sells beer, not sandwiches or gas or anything else and that he is the closest business to us. He stated that he is permitted to sell beer until 11 p.m. but that he only sells until about 9 p.m. because he believes that is late enough for this town. He stated that he loves being a part of our community, he partners with Strasburg Pizza and does an annual fireworks show for the community, and will have to make a decision if he is able to stay open if Rutter's begins selling beer because his business is how he supports his family. Mr. Heim stated that it will probably be cheaper for customers to buy in bulk at the beer mart and Mr. Martineau stated that the ability for Mr. Kirchner to sell in lesser quantities than full cases opened up for his business as well. Mr. Heim also stated that Mr. Kirchner has more floor space dedicated to the sale of beer and does sell other things as well. Mr. Kirchner stated that he was not interested in being sworn in and understood that if he was not sworn in he is not able to appeal Council's decision.

Kaiden Kirchner, a Millersville College student, stated that he believes there is an alcohol culture that goes along with college and high school these days. He added that he has heard that the alcohol at parties at these places comes from places like Weis and gas stations that sell alcohol and tobacco products because there is less intimidation to go to a place like that to steal or purchase illegally from friends their age who work there. Mr. Heim stated that they plan to have a license scanner for the alcohol sales and the Liquor Control Enforcement unit, a part of the State Police, has a very active sting program and they do a lot of details to check for compliance of serving visibly intoxicated persons and sales to minors. He stated that if an establishment gets too many of those violations, they get shut down and they would not be willing to risk the valuable asset of their ability to sell alcohol. Mr. Heim stated that the fine for such a violation for the store is between \$1,000 and \$2,000 per occurrence depending on if you are RAMP certified. Mr. Heim stated that the consequence for the employee is being fired.

Hearing no further comments for the public hearing, Ray Garraffa made a motion, seconded by Will Hutchinson and passed unanimously to close the hearing.

Ray Garraffa made a motion, seconded by Will Hutchinson to approve Resolution 2016-8 approving the request of LCS701921, LLC, for an intermunicipal transfer of a liquor license in the form presented at this meeting. The motion carried with members Chiodo, Garraffa, Hutchinson, Rice and Bennethum casting assenting votes. Member Ryder cast a dissenting vote.

MINUTES OF NOVEMBER 8, 2016: A motion was made by Jim Rice, seconded by Will Hutchinson and passed unanimously to approve the minutes of the November 8, 2016 meeting as printed.

REPORTS:

MAYOR – Mayor Miller was not in attendance for the meeting.

PRESIDENT – President Chiodo had nothing to report.

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MANAGER – The Borough Manager provided her written report dated December 16, 2016 and stated that Will Mullin has expressed interest in serving on the Authority and the Authority did meet with Mr. Mullin and expects to be recommending him at their meeting in January. Dale Spaulding and J.R. Johnson are interested in filling the vacancies on the Civil Service Commission and she is recommending they be appointed under the Consent Agenda item. The only remaining board vacancy is for a HARB member, and are seeking interested persons for this position that live in the Historic District.

POLICE – The Police Department’s report for November 2016 was received and accepted.

PUBLIC WORKS – The Public Works report for November 2016 was received and accepted.

ZONING OFFICER – The Zoning Officer’s report for November 2016 was received and accepted.

CONSENT AGENDA: A motion was made by Jim Rice, seconded by Ray Garraffa and passed unanimously to approve the following items on the Consent Agenda:

PAYMENT OF BILLS IN THE AMOUNT OF \$322,780.55

HISTORICAL ARCHITECTURAL REVIEW BOARD CERTIFICATE OF
APPROPRIATENESS – 144 EAST MAIN STREET

APPROVAL OF 2017 MEETING SCHEDULE

ADOPTION OF FIRE COMPANY ACTIVITIES RESOLUTION 2016-6

ADOPTION OF POLICE PENSION PLAN CONTRIBUTION RESOLUTION 2016-7

REAPPOINTMENT OF LISA M. BOYD TO THE LANCASTER COUNTY TAX
COLLECTION BUREAU BOARD OF DIRECTORS

REAPPOINTMENT/APPOINTMENT OF BOROUGH BOARD MEMBERS

HARB	David Measel	5 year term until December 31, 2021
Planning Commission	Dominick DiBella	4 year term until December 31, 2020
Zoning Hearing Board	Keith Kauffman	5 year term until December 31, 2021
Civil Service Commission	J.R. Johnson	6 year term until December 31, 2022
Civil Service Commission	Dale Spaulding	Complete unexpired term until December 31, 2020

APPROVAL TO PROCEED WITH BOND ISSUE FOR AUTHORITY SEWER
PROJECT

REQUEST FOR REDUCTION IN LETTER OF CREDIT – RUTTER’S FARM STORE
FOR \$525,562.95

UNFINISHED BUSINESS: None.

NEW BUSINESS:

APPROVAL OF 2017 FINAL BUDGET: Will Hutchinson made a motion, seconded by Ray Garraffa and passed unanimously to approve the 2017 Final Budget which does not include a tax increase.

2016-55

ENACTMENT OF 2017 TAX OEVY ORDINANCE 2016-3: Ray Garraffa made a motion, seconded by Will Hutchinson and passed unanimously to enact the 2017 tax levy ordinance 2016-3 with the real estate tax remaining at 3.28 mills for the Borough of Strasburg for 2017.

OTHER BUSINESS: Will Hutchinson stated that the YMCA Committee met and are all pretty much on the same page that the YMCA gives a lot more value than in perceived and specific examples were cited including that a second grader from Lampeter-Strasburg could go to the YMCA and learn to swim and the benefit is that lives can be saved from not drowning and the school district does not pay any money towards that program. Most were in agreement to phase out the 10% discount for Lampeter-Strasburg residents, West Lampeter Township would like two representatives on the board, and Strasburg Borough would like one representative on the board. Will Hutchinson stated he suggested at the meeting that the YMCA should solicit the talents from its members to assist the organization and promote the value of the organization. Each municipal representative was to report back to their respective board in January 2017 to decide if they will modify the lease and then schedule another joint meeting at the end of January.

CITIZENS' COMMENTS: None.

ADJOURNMENT: A motion was made by Bruce Ryder, seconded by Ray Garraffa and passed unanimously to adjourn the meeting at 8:20 p.m.

Respectfully submitted,

Lisa M. Boyd
Borough Manager

2016-56

**Memorandum of December 13, 2016 Rescheduling of Regular Meeting of
Borough Council and Public Hearing Concerning Proposed Liquor License
Transfer**

Members Present: Bruce Ryder
Will Hutchinson
David Dunn

Others Present:
Lisa M. Boyd, Borough Manager-Secretary
F. Steven Echternach, Chief of Police
Cindy Hummel, Lancaster Newspapers

CALL TO ORDER: Bruce Ryder called the meeting to order at 7:30 p.m. It was noted that a quorum was not present.

A motion was made by Dave Dunn, seconded by Will Hutchinson and passed unanimously stating that pursuant to Section 1006(2) of the Borough Code and due to the absence of a quorum, that the regular monthly meeting of Strasburg Borough Council previously scheduled for Tuesday, December 13, 2016, at 7:30 p.m., be held on Monday, December 19, 2016, at 7:30 p.m. at the Strasburg Borough Municipal Building and that the public hearing concerning the proposed intermunicipal transfer of a liquor license to the Rutter's Farm Store at 405 Historic Drive be rescheduled and continued to Monday, December 19, 2016, at 7:30 p.m., at the Strasburg Borough Municipal Building.

ADJOURNMENT: The meeting was adjourned at 7:33 p.m.

Respectfully submitted,

Lisa M. Boyd
Borough Manager