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STRASBURG BOROUGH COUNCIL
MARCH 12, 2019
MINUTES

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

Others Present:

Bruce Ryder, Mayor	Lindsay Doughty
Lisa M. Boyd, Borough Manager	David Felpel
William C. Crosswell, Solicitor	Lynn Commero, LNP
Jason Hess, MHCK	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. The Borough Manager took the roll call.

REQUESTS TO BE HEARD: None.

MINUTES OF FEBRUARY 12, 2019: A motion was made by Jim Rice, seconded by Ray Garraffa and passed unanimously to approve the minutes of the February 12, 2019 meeting as printed.

REPORTS:

MAYOR – Mayor Ryder stated that the 8-10 East Main Street property is working its way through the Vacant Property Reinvestment Board process and the next step is the Board will meet next week to vote on the second blight determination. He also reported that the Borough is hosting the Lancaster County Mayor’s Association meeting tomorrow.

PRESIDENT – President Chiodo stated that for the Pension Funds, the stock market did rebound a little bit and that the Pension Actuary will be in attendance at the next meeting to review the Pension Fund financial status. Mike Chiodo introduced Lindsay Doughty who was attending the meeting for one of her Millersville University social work classes.

MANAGER – The Borough Manager’s written report for February 2019 was received and accepted. She added that Planning Commission member Dave Felpel has agreed to serve on an action team on behalf of the Borough on the Borough Collaborative through the Economic Development Company of Lancaster County. The members thanked Mr. Felpel for agreeing to represent the Borough.

POLICE – The Police Department’s report for February 2019 was received and accepted. Mayor Ryder stated that there was a recent newspaper article regarding police costs and it listed Strasburg as being the 5th highest. He reminded the members that the 2019 Police Budget is higher because of the hiring of an additional officer in preparation for the Chief’s

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upcoming retirement and that when the Chief retires and we are back to a normal staffing level, we will be 12th on the list.

PUBLIC WORKS – The Public Works report for February 2019 was received and accepted.

ZONING OFFICER – The Zoning Officer’s report for February 2019 was received and accepted.

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 \$168,078.39

APPOINTMENT TO THE HISTORICAL ARCHITECTURAL REVIEW BOARD -

RYAN WEAVER

2019 PAVING PROJECT – AUTHORIZATION TO BID HAMPDEN DRIVE

UNFINISHED BUSINESS: None.

NEW BUSINESS: None.

OTHER BUSINESS: None.

CITIZENS’ COMMENTS: LaJune Ranck stated that at the last Zoning Hearing Board meeting, she stated that a number of citizens in Strasburg were concerned with and were in opposition to the Video Gaming Terminals coming to town. She added that Rutter’s attorney said to her that her comment was irrelevant and she did not appreciate him saying that and wanted to bring it to the Board’s attention.

David Felpel stated that he would like to encourage Borough Council to continue to oppose the Video Gaming Terminals and appreciates Council’s good management of taxpayer dollars.

EXECUTIVE SESSION: At 7:48 p.m., Mike Chiodo adjourned the regular meeting into an Executive Session and stated that Borough Council will now hold an executive session to consult with the Borough Solicitor concerning information and strategy in connection with (i) land use litigation relating to the property located at 12 West Main Street which proceedings are docketed to Case No. CI-17-10159 in the Court of Common Pleas of Lancaster County, Pennsylvania, (ii) land use litigation relating to the property located at 405 Historic Drive, Strasburg, Pennsylvania, including proceedings docketed to No. CI-19-01783 in the Court of Common Pleas of Lancaster County, Pennsylvania, and (iii) any other matters relating to such properties and the legal issues raised by such litigation.

The regular meeting was reconvened at 8:54 p.m. at which time the following motions were made:

A motion was made by Jim Rice, seconded by Will Hutchinson and passed unanimously to oppose the pending appeal of Rutter’s to the Strasburg Borough Zoning Hearing Board from the determination by the Zoning Officer dated February 9, 2019, that five video gaming terminals are not an accessory use to Rutter’s “convenience store” located at 405 Historic Drive, Strasburg,

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Pennsylvania, and that the Borough Solicitor, Morgan, Hallgren, Crosswell & Kane, P.C., be authorized to appear at the Zoning Hearing Board hearing regarding this appeal, enter its appearance as counsel for the Borough, and advocate the Borough's position at such hearing.

A motion was made by Ray Garraffa, seconded by Will Hutchinson and passed unanimously to authorize the Borough Solicitor to intervene on behalf of the Borough in any Land Use Appeals filed by Rutter's in the Court of Common Pleas of Lancaster County in support of the decisions which have been made by the Strasburg Borough Zoning Hearing Board regarding Rutter's proposed video gaming terminals.

A motion was made by Bob Bennethum, seconded by Jim Rice and passed unanimously to authorize the Borough Solicitor to appeal the decision of the Court of Common Pleas of Lancaster County, Pennsylvania, in Case No. CI-17-10159 to the Commonwealth Court of Pennsylvania.

A motion was made by Bob Bennethum, seconded by Will Hutchinson and passed unanimously that the Borough Manager, as primary, and the President of Borough Council, as secondary be designated as the Borough's litigation liaisons to facilitate communications between the Borough and the Borough Solicitor regarding all pending land use litigation and any appeals, proceedings, and legislative actions related thereto.

A motion was made by Bob Bennethum, seconded by Will Hutchinson and passed unanimously that the Borough's litigation liaisons work with the Borough Solicitor and any other persons not constituting a quorum of Borough Council to draft and, if deemed appropriate, to take the necessary steps for Borough Council to consider amendments to the Zoning Ordinance which address recent land use issues affecting the Borough.

ADJOURNMENT: A motion was made by Jim Rice, seconded by Ray Garraffa and passed unanimously to adjourn the meeting at 9:00 p.m.

Respectfully submitted,

Lisa M. Boyd
Borough Manager