

2019-35
STRASBURG BOROUGH COUNCIL
NOVEMBER 12, 2019
MINUTES

Members Present:	Mike Chiodo	Bob Bennethum
	David Dunn	Will Hutchinson
	Jim Rice	H. Dale Spaulding
	Ray Garraffa (by phone)	

Others Present:

Bruce Ryder, Mayor	John Mroz
Lisa M. Boyd, Borough Manager	Frank Sfrisi
F. Steven Echternach, Police Chief	Kirsten Updike
Chuck Haley, ELA Group	Danielle DeGroft
William Crosswell, Solicitor	Anne Harnish
Claudia Shank, McNees Law	Kim Ingram
John Stoltzfus	James Cawley
Bryan Moyer	Kerri Shindle
Wendy Jones	Jeremy Miller
Jeffrey Long	Kristin Fernitz
Linda Younger	Mike Dixon
Kim Calderwood	

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:

KRISTIN FERNITZ, STRASBURG-HEISLER LIBRARY – DONATION

DISCUSSION: Kristin Fernitz, Strasburg-Heisler Library Director, was in attendance and reviewed the handout she provided. She provided a graph of state-gathered data that shows that the per capita circulation rate for the Strasburg-Heisler Library is higher than most other libraries in the state. She added that she has only eight staff members who assist approximately 2,300 people per month with 14,000 items, which doesn't include patrons who use the computers or programs. The chart also shows that they are the lowest staff expenditures per circulation in the state, are understaffed, and are doing more for less, which is not practical or sustainable. She also reviewed the funding sources charts from 2005 and 2019 and showed the reduction in the state library funding. Residents who use the library were also in attendance and explained some of the ways they use the library, including:

1. Jeff Long borrowed books as a child, college student and now as a kindergarten teacher for his class. He also used the internet as a college student for his classes because he did not have internet at home.
2. Linda Younger, director for Sunshine Corners, stated that their children visit the library twice a week and participate in story time. She also stated that their families frequent the library after they pick up their children, her staff uses it for research and they participate in many of the programs.

3. Kerri Shindle used the library for her family when her children were younger. She said that the children's programs are wonderful and used by families who may not be able to afford to go to a preschool. She also said that the library is also used by the Amish and she has seen the children very excited to be borrowing books. She added that our library has quality books, provides internet, has e-books and she believes it is a phenomenal place.

4. Mike Dixon volunteers with the Literacy Council of Lancaster and uses space in the library to teach GED classes.

5. Jim Cawley stated that he is a supporter of the library and appreciates that the library is a public space that is available for interaction and socialization.

6. Wendy Jones is the Early Childhood Program Coordinator and teaches six programs a week.

7. Kim Calderwood stated there she believes the library is the most important place in town and uses the library and library programs with her daughter. The library programs bring people together, build strong community connections that support the local businesses and organizations, and she knows of several families that moved to this area because of those connections.

8. Bryan Moyer is the Library Board President and thanked Council for allowing them to give this presentation, for Council's financial support, and for leasing the space to them. He asked if Council could consider promoting the library and additional financial support.

Council members thanked the library supporters for attending and said they appreciate everything they do. Council encouraged them to provide this presentation to Strasburg Township because it is very informative.

STRASBURG COMMONS PHASE 2: Claudia Shank with McNees Law, representing Charter Homes, was in attendance and asked Borough Council to consider adopting the streets for Asbury Lane, Gonter Way, Alsace Way, Kendig Way and two portions of Old Post Lane in the Strasburg Commons Development. She noted that they worked with the Borough Manager and Borough Solicitor.

The Borough Solicitor noted that the procedures and requirements were met and the Ordinance has been advertised as required.

The Borough Solicitor called for public comment:

Frank Sfrisi stated that there are outstanding items that need to be addressed, including the installation of the walking path behind Lot 6 and the remainder of the outstanding items for Phase 1. The Borough Solicitor stated that the matter before Borough Council tonight is the acceptance of the streets and he believes the items he referenced are outside of the scope of what is being considered tonight. The Borough Solicitor stated that the Borough holds an Improvement Bond to secure completion of the required improvements for the whole development and items outside the right-of-way and Council is not considering a request to reduce that bond tonight. Charter is not required to complete those improvements until they request a release of that bond. There is an 18-month Maintenance Security on tonight's agenda for the guaranty on the road.

John Mroz stated that he wanted to make sure the Borough confirm that all of the outstanding punchlist items for areas outside the right-of-way get completed before the bond is

released because the Homeowner's Association does not have any standing with the developer for those items. The Borough Engineer stated that the Engineer and Solicitor will thoroughly review the punchlists.

The Borough Solicitor prepared proposed motions for Borough Council's use. The Solicitor stated and Claudia Shank agreed and will notify her client that legal and engineering fees relating to this project will be reimbursed by Charter Homes.

REQUEST TO ELIMINATE CENTERLINE AND PARKING STALL STRIPING:

A motion was made by Jim Rice, seconded by Dave Dunn and passed unanimously to to approve a modification from the approved/recorded plans for Strasburg Commons to not require centerline striping or parking stall striping within the streets proposed to be accepted by the Borough pursuant to proposed Ordinance No. 2019-2 subject to the following conditions and requirements: 1) The first twenty (20) feet of each intersection shall include a painted white line to help motorists stay in their lane as they approach the stop bar. 2) Charter Homes at Strasburg, Inc., shall pay to the Borough on or before January 13, 2020, the sum of \$2,500 for the costs to establish no parking zones including, but not limited to, the required engineering and traffic studies, the enactment of an ordinance, and no parking signs, and to establish any other traffic regulations deemed appropriate by the Borough with regard to the enactment of Proposed Ordinance 2019-2. Charter Homes at Strasburg, Inc., shall also pay to the Borough on or before December 9, 2019, the sum of \$2,500 in accordance with the conditions imposed at time of the enactment of Ordinance 2017-3 accepting streets within Phase 1 of Strasburg Commons. 3) Charter Homes at Strasburg, Inc., shall indemnify and hold the Borough harmless from any obligation or expense in the future to stripe the street centerlines or the parking stalls within Strasburg Commons.

REQUEST FOR WAIVER OF FORM OF MAINTENANCE SECURITY: The Borough Solicitor stated that our Ordinance requires that a Maintenance Security be in the form of cash or a bank letter of credit but we have allowed a bond from an approved bonding company in the past.

A motion was made by Jim Rice, seconded by Bob Bennethum and passed unanimously to grant the request of Charter Homes at Strasburg, Inc., to post a bond rather than a letter of credit or cash escrow as maintenance security for the streets proposed to be accepted by the Borough pursuant to proposed Ordinance No. 2019-2 in the form and the content presented at this meeting.

CONSIDERATION OF AGREEMENT FOR MUNICIPAL LIQUID FUELS TAX REIMBURSEMENT: The Solicitor explained that the deadline for accepting streets for the next round of Liquid Fuels distributions is generally August 31st of each year. Since we are past that date, Charter Homes is entering into an agreement with the Borough to pay \$1,743.99 which is based on the calculation of what that Liquid Fuels Distribution would have been.

A motion was made by Dave Dunn, seconded by Dale Spaulding and passed unanimously to approve the Agreement for Municipal Liquid Fuels Tax Reimbursement in the form and content presented at this meeting for the streets proposed to be accepted by the Borough pursuant to proposed Ordinance No. 2019-2.

AUTHORIZATION TO EXECUTE GRANTEE'S TITLE AFFIDAVITS: The Solicitor explained that this is necessary for the Title Insurance in order to accept the streets.

A motion was made by Dave Dunn, seconded by Dale Spaulding and passed unanimously to authorize the proper Borough officials to execute any affidavits or other title insurance documents which may be required to provide the Borough with title insurance for the streets to be accepted by the Borough pursuant to proposed Ordinance No. 2019-2 subject to the approval of such documents by the Borough Solicitor.

CONSIDERATION AND POSSIBLE ENACTMENT OF STREET DEDICATION

ORDINANCE #2019-2: A motion was made by Bob Bennethum, seconded by Dale Spaulding and passed unanimously to enact Ordinance No. 2019-2 in the form and content presented at this meeting accepting Asbury Lane, Gonder Way, Alsace Way, Kendig Way and the portion of Old Post Lane located in Phase 2 of the Strasburg Commons Subdivision and the remaining portion of Old Post Lane located in Phase 1 of the Strasburg Commons Subdivision as part of the public road system of Strasburg Borough.

RALPH KAUFFMAN – LETTER REGARDING SAFETY ITEMS: The Council President stated that Ralph Kauffman, who is not in attendance, submitted a letter and asked that it be read aloud at the meeting regarding some safety items. Dave Dunn read Mr. Kauffman's letter dated October 30, 2019. In summary, Mr. Kauffman thanked Borough Council and the Safety Committee for having the bushes on the corner of Dallas and Lancaster Avenues removed. Mr. Kauffman also asked if a pedestrian crosswalk could be placed at North Jackson Street and West Main Street.

The Council President stated that the Police Chief has recommended and Borough Council agreed in the past not to take action regarding marking crosswalks.

MINUTES OF OCTOBER 8, 2019: A motion was made by Jim Rice, seconded by Bob Bennethum and passed unanimously to approve the minutes of the October 8, 2019 meeting as printed.

REPORTS:

MAYOR – Mayor Ryder had nothing to report.

PRESIDENT – President Chiodo stated that the non-payment of the Paradise Township invoice may be included on the December Council Agenda and if is on the agenda, the Fire Company will be invited to attend. He also reported that he reviewed the quarterly Pension fund financial reports and those funds are performing well.

MANAGER – The Borough Manager's written report for October 2019 was received and accepted. She added that the annual recognition banquet will be held on November 21, 2019.

POLICE – The Police Department's report for October 2019 was received and accepted. He reported that Officer Robert Burns has completed his probationary period and appointed Kim Rubincam as the Accreditation Manager to handle the administrative piece of the accreditation

process. He is hoping to have the accreditation process completed by mid-2020. Jim Rice reported that the Department's recent child pornography arrest was on tonight's Fox 43 news.

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

ZONING OFFICER – The Zoning Officer's report for October 2019 was received and accepted.

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

PAYMENT OF BILLS IN THE AMOUNT OF \$98,520.24 and \$40,742.15
HISTORICAL ARCHITECTURAL REVIEW BOARD CERTIFICATES OF
APPROPRIATENESS – 122 SOUTH DECATUR STREET AND 106 EAST
MAIN STREET

UNFINISHED BUSINESS:

APPROVAL OF CAPITAL IMPROVEMENTS PROGRAM: Dale Spaulding stated that he suggested the last meeting to consider replacing the generator, roof and parking lot at the same time and get a loan because the rates are low and the improvements are needed. He noted that this is not shown in the presented CIP.

Mike Chiodo stated that the Borough Manager investigated loans and is obtaining cost estimates for the roof.

Bob Bennethum asked if the parking lot and generator could be replaced in a few years and stated that he would like pull together the money to replace the roof without taking out a loan. He offered some suggestions of where to come up with the money including using the projected \$11,000 of extra funds in the ending balance and reducing unfunded liabilities payment again in 2020. The Borough Manager reminded them that because the building rent is paid monthly, we would not have the additional budgeted \$35,000 revenue in the bank the beginning of the year.

Bruce Ryder stated that if we get a loan that it could possibly be paid off early but would be reluctant to press ourselves by using all available funds and not getting a loan because this year we saw what happens when we have unexpected expenses and would not want to see the Borough in that position again.

It was the consensus of Council to table the approval of the Capital Improvement Program until we get a little more detail next month.

APPROVAL OF 2020 PRELIMINARY BUDGET AND AUTHORIZATION TO ADVERTISE FOR PUBLIC INSPECTION: Bruce Ryder stated that the 2020 Budget, as shown with the 2019 projections and .17 tax mill increase, projects an ending balance that is approximately \$11,000 more than our normal budget policy of a 5% ending balance. He is encouraging Council to consider using some of those funds to begin a legal fee reserve fund to better prepare us for another year like this last year and to donate some additional funds to the

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library. He noted that the library is an excellent resource, one of the few things that the Borough does that directly impacts children here in the community, and many people came tonight to speak about the benefits of the library.

Mike Chiodo stated that the Fire Department is also an excellent resource that has requested additional funding. Dale Spaulding also spoke in support of the Fire Department and noted that they are all volunteers who donate a lot of time.

Bruce Ryder stated that his suggestion to help the library doesn't come at the expense of the fire company and is asking for a few thousand dollars for the library to help them avoid laying people off and reducing their hours. He also stated that the library is regulated by the state on how they can raise funds and any little bit helps. He reminded the members that because the Police Chief will retire at the end of 2020, the 2021 Budget will have those additional staffing funds available and we will be in a little better position to consider what the proper level of funding is for the Library, Fire Department and Legal Reserve Fund.

Dale Spaulding noted that this tax rate increase, based on an \$185,000 assessed property, is only \$2.62 a month increase and that Starbucks has probably gone up more than that.

Bob Bennethum noted that even with the .17 proposed tax increase, we are still \$50,000 behind this year because we reduced the Unfunded Liabilities payment because of the legal fees. He also stated that he is in favor of putting the additional \$11,000 towards the roof replacement project or toward the Unfunded Liabilities that we didn't pay in 2019.

Dale Spaulding stated that he believed additional donations should be discussed and included in what is advertised and available for public inspection.

The Borough Manager reminded the members that the budget in front of them shows paying the other 50% of the 2019 donations this year.

Will Hutchinson stated that he personally donates to the library but, after hearing the additional information about the library tonight, he is also in favor of increasing the library's donation. Jim Rice stated that he was in favor of the legal fee reserve fund.

Chief Echternach reminded the members that the projected \$11,000 additional over the 5% ending balance for 2020 is likely to change due to updated 2019 projections and stated that he and the Borough Manager can make a recommendation regarding how to handle those funds at the December meeting.

A motion was made by Jim Rice, seconded by Dave Dunn to approve the 2020 Preliminary Budget, which includes a .17 mill real estate tax increase, and authorize the Borough Manager to advertise it for public inspection. Motion carried with members Rice, Dunn, Bennethum, Garraffa and Hutchinson casting assenting votes. Members Chiodo and Spaulding cast dissenting votes.

Will Hutchinson stated that he did not think this is the time to look at increasing donations for 2020 but would consider increases in the 2021 Budget.

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Bob Bennethum stated he believed the donations that are included in the 2020 Budget are set and the best we can do.

2020 TAX LEVY ORDINANCE 2019-3: A motion was made by Will Hutchinson, seconded by Dave Dunn and passed unanimously to authorize the Borough Manager to advertise the Tax Levy Ordinance #2019-3 with the tax rate increasing to 3.03 mills.

NEW BUSINESS:

LANCASTER COUNTY DRUG TASK FORCE RESOLUTION 2019-6: A motion was made by Will Hutchinson, seconded by Jim Rice and passed unanimously to adopt Resolution 2019-6 which supports the Lancaster County Drug Task Force and request to the Lancaster County Board of Commissioners to continue this vital County initiative in 2020 and beyond by fully funding the program in a sustainable manner.

POLICE RECORDS RETENTION RESOLUTION 2019-7: A motion was made by Dale Spaulding, seconded by Dave Dunn and passed unanimously to adopt the Police Records Retention Resolution 2019-7 which declares the Police Department's intent to follow the schedules and procedures for the disposition of police records as set forth in the Municipal Records Manual approved December 16, 2008.

OTHER BUSINESS: None.

CITIZENS' COMMENTS: John Mroz stated that he appreciates Borough Council and the Mayor's work.

ADJOURNMENT: A motion was made by Jim Rice, seconded by Bob Bennethum and passed unanimously to adjourn the meeting at 9:01 p.m.

Respectfully submitted,

Lisa M. Boyd
Borough Manager