

BOROUGH COUNCIL

1994

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Mayor Ryder said that the Task Force leads to the Recreation Commission, and wondered what are the priorities. A Teen Center is sorely needed, there is a real lack of programming for teenagers. We only provide baseball now.

Dorisann agreed with Mayor Ryder's comments, but disagreed with the multicomunity program.

The Mayor said that programming (regionally) will be of more valued than what we can offer ourselves. He sees us getting much more out of this than we will be putting into it.

John Penatzer said that facilities are empty or ill used because no one is planning or coordinating their use.

John Pratt said that there are a number of people out there who would contribute land if there were an organized group available. We will miss those opportunities (if we are not prepared).

Don Bachman said that he felt that a Teen Center was the first priority.

John Penatzer said that he would like to make the motion that we adopt this Plan, as presented tonight. Seconded by Velma Lutz, the motion carried with Velma, John, and Joe voting affirmatively, Dorisann and Carroll voting against the motion. President Lindsay said that he voted no because he believes that the meeting is not officially advertised.

ADJOURNMENT. With no further matters for attention, President Lindsay declared the meeting adjourned at 9:10 pm.

Respectfully submitted,



Gene Osmun, Secretary

1994-108

STRASBURG BOROUGH COUNCIL
Minutes of September 27, 1994 - 7:30 P.M.

MEMBERS PRESENT: Lindsay Lutz Ferber Penatzer
Barnett Coleman Haug

OTHERS PRESENT: Bruce Ryder, Mayor
Gene Osmun, Borough Manager
Robert Ham, Police Chief
Lisa M. Boyd, Admin. Asst.
Paul Miller, Public Works Foreman

The meeting was called to order by President G. Carroll Lindsay followed by the salute to the flag.

REQUESTS TO BE HEARD: None.

UNFINISHED BUSINESS:

RESOLUTIONS:

ADOPTION OF RECREATION PLAN: President Lindsay advised that the Recreation plan was voted on at the Public Hearing, and we now have the formal resolution for ratification. John Penatzer made the motion to adopt the resolution adopting the Regional Recreation Plan. Seconded by Velma Lutz, the motion carried 6-1, Doris Haug voting against.

AUTHORIZATION FOR SITE ASSESSMENT APPLICATION. After reviewing the proposed resolution for the application for Site Assessment Funds, Council had reservations about proceeding until specific questions about whether the applicant, Bob Campbell, of BMW Inc, has the authority of the bank to make the application, and just what the involvement of the Borough will be once the Project is to begin. Mr. Campbell was present, and agreed to obtain the needed information. Len Ferber made the motion to table the motion until the concerns are addressed. Seconded by Velma Lutz, the motion carried 7-0.

ADOPTION OF CAPITAL IMPROVEMENT PLAN. The proposed Capital Improvement Plan was reviewed. It was agreed that the Finance Committee would look it over, and make recommendations at the next meeting, giving Council the additional time for review.

BID OPENING - MUNICIPAL BUILDING ROOFING REPAIR. Two bids were received, one from Richard Sensenig Co, of Ephrata, at \$18,200, and the other from Red Rose Roofing, at \$13,499. President Lindsay referred the bids to the Facilities Committee for review and recommendation.

SPAG GRANT - SUBDIVISION & LAND DEVELOPMENT ORDINANCE CONSULTANT APPOINTMENT. After a discussion of the various aspects of

doing the Project, Len Ferber made the motion recommending that Gerhinger Roth do the Revision and Update, as described in the Scope of Work, and according to the terms of the Grant Agreement from Community Affairs, with the Borough Engineer, HRG Inc, to act in an oversight capacity. Velma Lutz seconded the motion, and the motion carried 7-0.

NEW BUSINESS.

SET DATE FOR ZONING HEARING - MUNICIPAL BUILDING. President Lindsay recommended that November 8th, at the regular meeting, be set as the date for the Hearing. All were in agreement. Velma Lutz suggested that it might be proper to have the Planning Commission formally ratify the request for for the change, as Bill Crosswell had suggested. All were in agreement.

COMPREHENSIVE PLAN REVIEW. Doris Ann Haug had presented the results of her review of the Plan. The Council reviewed these by item:

- p. 69 Multi It was agreed to fill in the blanks.
- p. 112 Sewer See pp. 110.
- p. 131 Correct/Delete.
- p. 155 Urban Growth Boundary - Council agreed that the concept of the UGB was O.K. but there was disagreement as to whether it was ever adopted. It was agreed that we should review the minutes to determine this. It was then agreed that we should approve the concept, but not the specific boundaries as delineated in and by the County Plan. This was suggested by John Penatzer, and all members were in agreement to insert this.
- p. 166 conversion of accessory uses. Suggested to delete single family detached. It was agreed that this is a plan, not an ordinance. Mayor Ryder suggested that the Planning Commission look at the consultant's recommendations and review against the Zoning Ordinance (on Agenda for Planning Comm).
- p. 166 R-1. Agreed to keep as is, was the consensus. Agreed that it is not incorrect.
- p. 167 Mayor Ryder suggested that the Township adopt the concept and standards already adopted in the Borough. He suggested we have John Hohman reword it to recognize what has already been done rather than the liveable communities terminology, take liveable community terms out, and use village overlay. All were in agreement on this.

p. 167 R-3. No change.

p. 169 Leave as is.

HOMEOWNER'S ASSISTANCE PROGRAM. AUTHORIZATION TO COMPLETE THE DOCUMENTS AND TO PROCEED. Velma Lutz made the motion that the Borough Manager be authorized to complete the documents for the Program to begin. Seconded by Len Ferber, the motion carried 7-0.

APPROVAL - LITTLE LEAGUE REGISTRATION DATES. The dates requested were for Saturday, January 21 and 28, with a snow date of February 4. The consensus was that this did not require the review of Council, that the Manager could handle it.

BOROUGH PENSION PLAN - MINIMUM MUNICIPAL OBLIGATION. Gene Osmun reviewed the MMO documents for the Council, which stated the amount received from the State for the Pension Contributions, and the requirements for the Budget for the coming year.

OTHER BUSINESS.

ACTIVITY PERMIT. Mayor Ryder requested approval for an activities permit for the Library's proposed bonfire on Saturday, October 22nd. He is recommending approval. Velma Lutz recommended that the Fire Company be notified of the event. Len Ferber made the motion with that stipulation, seconded by Velma Lutz, the motion carried 7-0.

SOUTH JACKSON STREET. Velma Lutz recommended we proceed with the repairs to South Jackson Street, due to its condition.

PERSONNEL COMMITTEE. Velma Lutz stated a concern about the duties of the Personnel Committee, and requested that the Personnel Policies be updated.

CITIZEN COMMENT. None.

ADJOURNMENT. With no further matters for discussion, President Lindsay adjourned the meeting at 9:35 P.M., on a motion from John Penatzer, a second by Susan Barnett, with all members concurring.

Respectfully submitted,


Gene Osmun, Secretary

1994-111
STRASBURG BOROUGH COUNCIL
Minutes of October 11, 1994 7:30 P.M.

MEMBERS PRESENT: Lindsay Lutz Ferber Penatzer
Barnett Coleman Haug

OTHERS PRESENT: Bruce Ryder, Mayor
William Crosswell, Solicitor
Gene Osmun, Borough Manager
Ray Miller, HRG Engrs.
William Chillas
George Erb
Donald Bachman
James Breon
Naomi Hohman
Larry Wixson
R.B. Campbell
Gary Myers
Larry Book
John Homsher
Tom Comero
Richard Mentzer
Sue Keene, Lancaster Newspapers
Lisa Boyd, Administrative Assistant
Paul Miller, Foreman

CALL TO ORDER AND SALUTE TO FLAG. The meeting was called to order by President G. Carroll Lindsay followed by the salute to the flag.

REQUESTS TO BE HEARD. Larry Wixson said that he has a problem with the Borough getting involved in recycling, and wondered what the costs would be for the Borough, and urged the Council to not get involved with it.

MINUTES OF SEPTEMBER 13th, 1994 and SEPTEMBER 27TH, 1994. Len Ferber made a motion to accept the minutes of the two meetings, as presented. Seconded by Dorisann Haug, the motion carried 7-0.

TREASURER'S REPORT. The acceptance of the report was deferred until the next meeting, for presentation.

SOLICITOR'S REPORT. Attorney Crosswell had attended the meeting of the City Sewer Authority customers in Manheim, and reported that the Borough's share of the city's recent capitol improvements will be around \$61,000, on November 22nd. He also has asked Gordon Walker to review some figures relative to the sewer refinancing, to determine if any readjustment in our contributions to the City are due. He has reviewed the rezoning of the municipal building, drafted an ordinance, and because it will need to be reviewed by the County Planning

Commission, we won't be able to have the Hearing for it until December 13th. It can be held in the same evening as the meeting, and can be advertised as such. He suggested the Borough Engineer review the boundaries and acreage, to insure the accuracy of the plan. He advised he reviewed personnel issues and the procedures of the Historical Review Board with the Borough Manager, and reviewed the Goberman subdivision, the Chatham Commons Street dedication, and the Kenwar issue for tonight's meeting.

MAYOR'S REPORT. Mayor Ryder reported the Regional Sewer Committee and SLSA are working together on a Plan for the 537 Study, will have a resolution available soon, and are making real progress.

ENGINEER'S REPORT. Ray Miller had nothing specific to report, other than the issues on the Agenda.

PRESIDENT'S REPORT. President Lindsay reported on the recent CDBG Hearing before the Redevelopment Authority's Regional Committee, and our appearance there, advising that the prospects appear promising. He also reported on an anonymous letter to him, and advised he will only respond to signed letters.

MANAGER'S REPORT. Gene Osmun had presented a written report, which he reviewed, including the results of the County Auction, which brought \$2312 for the Borough surplus equipment. He also mentioned that with the recent pump station figures, we were able to realize a credit from the City for the inaccurate billing period last winter of around \$11,000. He also advised that a paving quote had been received for South Jackson Street, which was excessive, and the Public Works Department was planning to do the street repairs.

POLICE CHIEF REPORT. Chief Ham was present, and had submitted a written report, but had nothing further to add.

PUBLIC WORKS REPORT. Paul Miller had submitted a written report. Council had no questions.

UNFINISHED BUSINESS:

GOBERMAN SKETCH PLAN. Attorney Chillas was present representing Allan Goberman regarding the Eshelman's option on the pasture, where the water retention is proposed. He believes this is amicable and need not be an impediment to proceeding with the subdivision. Bill Crosswell advised that the Borough at least needs at the sketch plan phase, a letter

from Mr. Goberman that he will agree to the conditions involving the participation of the Eshelman's in approving the locations, and subject to the Borough's requirements involving storm water and sewerage. Mr. Chillas advised he would talk to Mr. Goberman and Mr. Saylor (the Eshelman's attorney), and try to reach some agreement. Bill Crosswell said he didn't recommend proceeding until the matter is resolved, and we have an agreement as part of the sketch plan phase. He also suggested might want to have the Eshelman's sign the final document as equitable owners of the tract.

SEWER ISSUES - CAPITAL CONTRIBUTIONS TO CITY. Bill Crosswell had reviewed this for the Council, and suggested this be put on the Agenda for November 22nd. It was suggested that Gene Osmun call Russ MacNair, of CDM and verify the exact figure of the percentage that the Borough will need to pay. It was the consensus to pay the amount out of the Capital Reserve Account.

KENWAR BUILDING - RESOLUTION FOR CLEANUP. Gene Osmun reviewed the information he had received from the Department of Commerce regarding the Borough's involvement in the processing of the project, and that the Commerce Department would provide 3% for the Borough's administrative fees. Bill Crosswell reviewed the Grant Agreement he had received from the Department, and stated he had a concern regarding the requirements regarding bidding, and the assurances required of the Grant holder. The applicant, Mr. R.B. Campbell was present and provided his understanding of what is required, but Council was concerned about the Borough's involvement in what appears to be a private matter. Len Ferber suggested that we go back to the original requirements of our letter of intent, which required reimbursement of any Borough costs, that we support it, but reimbursement is required. The owner of the property, Mellon Bank is responsible, and should be involved. Len then made a motion that we adhere to the original letter of intent, that required reimbursement of the Borough costs, before any further commitments are made. Seconded by John Penatzer, the motion carried 7-0. Mayor Ryder added that we should also get written clarification of the issues involved in the grant agreement and our own involvement, the degree of involvement, and the pitfalls before going any further.

RECYCLING - PUBLIC HEARING DATE. Joe Coleman described the recent Committee Meeting, in which additional comments were taken, and that the Committee is recommending Program "E", which involves a single hauler, and provisions for opting out. We currently don't have a plan in place for "E", so it will be

necessary to hold another Committee Meeting, and bring it back to a public hearing. President Lindsay concurred and directed the Recycling Committee to do as the Chairman suggests.

ZONING ORDINANCE AMENDMENT. Bill Crosswell suggested that we set a date for the hearing, with sufficient time to obtain comments from the County Planning Commission, and it was agreed to hold the Hearing on December 13th, at the Regular Meeting. Len Ferber said asked that the Planning Commission minutes be amended to read C-1, rather than C-2. Len made the motion to set the Public Hearing date on December 11th, 1994. Seconded by Velma Lutz, the motion carried 7-0.

BID FOR ROOFING REPAIR. Gene Osmun outlined the additional information that he had obtained regarding the roof bids which the Committee had requested, including details involving the quantities bid and the warranties. The contractor with the lower bid had estimated 3200 lineal feet of seam repair, and the contractor with the higher bid had estimated 2080 feet, that neither included the factory seams, and both were proposing to use Carlisle's recommended technique for repair. Len Ferber said the Committee had reviewed this extensively, and recommended we award the bid to the lower bid submitted by Red Rose Roofing, of Lancaster for a total of \$13,499. John Penatzer made the motion that we award the bid to Red Rose Roofing, and seconded by Velma Lutz, the motion carried 7-0. Len Ferber also described the Committee's review of the Borough's handicapped requirements under ADA, and that we are proceeding at making any required changes, and that an audit checklist is being used.

NEW BUSINESS.

896 STUDY GROUP. Mayor Ryder described his recent meeting with Chris Newman, and representatives of the Borough and the Township, that the consensus was that neither municipality could agree with the document as written, in particular the amounts of money involved, but that they would work together to try to implement some of the suggested changes on a more limited scale than the one proposed. He suggested that the Joint Planning Commission get together and review the final impacts on the plan. Council was in agreement that both municipalities should work together and work out better ways to achieve the goals.

BUDGET/CAPITAL IMPROVEMENTS DISCUSSION. President Lindsay opened the meeting up to discussion on the Capital Improvement Plan. Bruce Ryder asked if the lower sewer flows would indicate less of a need to upgrade pump station # 5. Ray Miller said we might want to look at it.

The Council reviewed the document and the following comments were noted:

- p. 2 \$50,000 contribution was reduced to the Water Fund over the 4 years, from the first year, due to the limited funds available.
- p. 3 I & I we need to do it, we need some estimates for the coming year.
- p. 5 decrease in the allocation from \$10,000. Raise to \$25,000?
- p. 7 Question on whether funds were included for the new entrance to the Police Department.
- p. 8 The Miller & Main Intersection. It was agreed that the County LATS funds were received for that purpose.
- p. 9 The amount allocated for Subdivision Review should be changed from \$4000 to \$5000.

Dorisann suggested we put amounts in the budget for Water Filtration and for testing. John Penatzer mentioned we might want to consider going to wells as the way to deal with the filtration problem. Ray Miller said the only problem is the difficulty in locating good wells, and the possibility of nitrates. Joe Coleman noted that the costs on the Improvement Plan jump all over from year to year, and that we try to even them out over time. He also asked what kind of life can we get out of the roof once it is repaired.

REQUEST FOR ROAD DEDICATION - CHATHAM COMMONS. Gene Osmun reviewed the steps taken on Pete Kingsley's letter for dedication of the roads in Chatham Commons, which included an inspection by HRG, and that the dedication fees have been paid, and efforts to provide the required documents begun. We need to authorize the solicitor to draft the appropriate ordinance. Len Ferber made the motion that we draft the necessary ordinance, and authorize the solicitor to do so. Mayor Ryder suggested that we might want to include a requirement that addition of these streets to the traffic ordinance be also included. With that addition noted by Len, the motion seconded by John Penatzer was passed 7-0.

OTHER BUSINESS.

PAYMENT OF THE BILLS. Len Ferber made the motion to authorize payment of the bills. Seconded by Susan Barnett, the motion carried 7-0.

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CITIZEN'S COMMENTS. Mr. George Erb, of East Main Street was present, and described to the Council his efforts at obtaining permission to install replacement windows for his property, which is in the Historic District on East Main Street. He had appeared before the Historic Review Board and was turned down. Gene Osmun outlined the procedures for the Council to hear the appeal, as established in the Ordinance. Bill Crosswell advised that the proper procedures must be followed, and that proper reports be complete. He advised that the Council would have to hear it at the next Council meeting, due to the time requirement in the Ordinance. It was the consensus that this matter be heard at the next Council Meeting, and Mr. Erb should present his case at that time.

With no further matters for discussion, the meeting was adjourned at 10:05 pm.

Respectfully submitted,



Gene Osmun, Secretary

1994-117

STRASBURG BOROUGH COUNCIL
Minutes of October 25, 1994 7:30 P.M.

MEMBERS PRESENT: Lindsay Penatzer Haug Ferber(8:10)
Lutz Barnett Coleman

OTHERS PRESENT: Bruce Ryder, Mayor
Gene Osmun, Borough Manager
Bill Crosswell, Solicitor
William Chillas
Allan Goberman
Patrick Devery
Larry Wixson
George Erb
Ken Rettellach
R.B. Campbell
Paul Miller, Public Works Foreman
Robert Ham, Chief of Police
Donald Bachman
Dan Herr
Lori Van Ingen

CALL TO ORDER AND PLEDGE TO FLAG. President Lindsay called the meeting to order at 7:30 P.M. with the Pledge of Allegiance to the Flag.

REQUESTS TO BE HEARD. None.

UNFINISHED BUSINESS.

HEARING - APPEAL OF HISTORIC REVIEW BOARD RECOMMENDATION - ERB.
President Lindsay called upon H. Dale Kaufman, Chairman of the Historic Review Board, who was sworn in, and presented testimony about the position of the Historic Review Board with regard to the application of Mr. George Erb, for the installation of vinyl replacement windows in his home on East Main Street. He cited the Secretary of Interior's recommendations for historic structures, and the Historic Review Board's position in trying to preserve wooden features, that the Board recommends that the wooden windows not be replaced.

Bill Crosswell asked if the date of the Review Board's meeting was September 22nd, and if the decision was held for twenty days before the hearing tonight, and if the Review Sheet was the official recommendation of the Board. Mr. Kaufman answered yes to all three questions.

Mr. Erb said he is a senior citizen on social security, and wanted to know if the Board is going to pay his oil bill, and who is going to work on the windows. He agreed it may look better without storm windows.

Mr. Kaufman said that most design guides allow storm windows, that he advises that Mr. Erb's is an attractive home, well maintained, and a lot of people notice. Mr. Crosswell swore in Mr. Erb and Mr. Rettellach, who indicated a desire to give testimony. Mr. Rettellach asked about Long's Hardware Store - they just had windows replaced, and they were allowed.

Mr. Kaufman said the Board did not recommend it. The Board is trying to make a statement regarding vinyl replacement windows in the Borough.

Mr. Rettellach asked if all you have to do, is do it.

Mr. Kaufman said that if that is the case, fines will be levied. We have a very talented and knowledgeable Board that works hard to try to maintain the Historic District. He said that there have been places where we have allowed aluminum on flat surfaces. We have drawn the line on porch detail, however, in trying to maintain these standards.

President Lindsay asked if it is possible today to obtain vinyl or vinyl clad windows with mullions in vinyl or otherwise, that are close to or like a wood mullion grill.

Mr. Kaufman said that Weathershield has a typical one, for a wood replacement window.

Mr. Lindsay asked if it is an aesthetic issue and not a material one?

Mr. Kaufman said it is some of both.

Mayor Ryder asked if the intent then was to preserve the original material?

Mr. Kaufman said it is to preserve the original material.

Mayor Ryder said that it appears then the goal is to preserve the material if possible, and if not, then to preserve the appearance.

President Lindsay asked for a motion to approve or deny the request to appeal the decision of the Historic Architectural Review Board.

Joe Coleman asked Mr. Erb if he had done his siding and the other improvements on the house. Mr. Erb said he had.

Dorisann Haug made the motion to approve the Historic Review Board's recommendation, as presented in the written statement presented by Mr. Kaufman. Seconded by Velma Lutz, a roll call vote included President Lindsay voting for approval, and John

Penatzer, Joe Coleman, and Susan Barnett voting against. Mayor Ryder then broke the tie, voting for support of the recommendation as submitted by the Historic Review Board.

Attorney Crosswell said that it might be appropriate to indicate what characteristics would be satisfactory, if what Mr. Erb is proposing is unsatisfactory. If the Council is saying the recommendation of the Board is to be carried out, it should be clear to the applicant what is required to satisfy.

Mayor Ryder asked if the Board should reconsider any new material, and if Mr. Erb should resubmit an application and go back and reapply.

Mr. Crosswell said that he can reapply or appeal as he sees fit - it is a two fold function. Council can approve or deny the certificate of appropriateness, and outline what is satisfactory for the District.

Chairman Lindsay asked Council if they wanted to make any new motions regarding the resubmittal. Mr. Penatzer said it is not up to us to recommend, that it is up to Mr. Erb to respond, to comply with the decision. Chairman Lindsay said that is also his understanding, and that is the position that the Council has taken.

SKETCH PLAN REVIEW - GOBERMAN DEVELOPMENT

Pat Devery, of PGD Engineering, presented the plans for Alan Goberman. William Chillas advised that the lease between the Eshelmans and Mr. Goberman provides an option to buy, until then the Eshelmans are tenants, and that they are in agreement. They have consented to the conditions established and will be identified on the final plan. He has written a letter to the solicitor explaining the lease, that the lease contains an option to purchase, and that the tenants have a right to come in and apply for subdivision approval.

John Penatzer explained the fact that the Eshelmans will end up with the maintenance of the storm water retention basin. President Lindsay explained that the Borough could ultimately hold the Eshelmans responsible for the maintenance of the storm water pond.

Bill Crosswell reviewed the letter, and suggested that the first sentence of # 3 be revised in the letter, to include and be broadened to include "any other improvements that might be required, " with regard to lot 78. He outlined some of the other issues that are involved with this subdivision: the 896 access, the pump station, sewage capacity, a concern previously raised about a house on the property line of lot # 3, and the four items previously listed, regarding the Eshelman - Goberman agreement. President Lindsay said that access to 896 is an important condition, that the concern for access must be a condition, and would the developer bear the cost.

Pat Devery explained that it is the developer's responsibility to extend the street to North Decatur Street, and also explained that the issue of the pump station was discussed with the sewer authority, approved, and certain conditions agreed to.

Susan Barnett asked how wide the easement was to access to North Fulton Street, that the street appears to be real narrow.

Mr. Devery said that they would extend it and bring it up to Borough standards.

Bill Crosswell said that we should include anything that is a concern at this stage.

President Lindsay reiterated the importance of having appropriate access from North Fulton Street.

John Penatzer felt that it is important that the pump station be relocated to a suitable location.

Bill Crosswell addressed North Murl Avenue, and the need to extend it into a Cul de Sac. The developer has a right to do this, and at sketch plan stage, the legal right should be required and stated.

Attorney Chillas wondered if the issue of the pump station could be addressed in a meeting with the Borough Engineer before November. After further discussion, Mayor Ryder suggested that we let the engineer, (Mr. Devery) review it and work it out, with the Borough engineer to review it.

Len Ferber then formulated a motion that the seven issues named, plus the four involving the Eshelman lease, be described as the conditions required for the sketch plan approval, and that they be drafted for adoption at the next meeting. Seconded by Dorisann Haug, the motion carried 7-0.

KENWAR BUILDING DEVELOPMENT. President Lindsay outlined the previous conditions that had been established regarding the application to the Department of Commerce, and reviewed the letter from R.B. Campbell. He stated the letter is far in excess of what the Council wanted, that if we are to proceed it will be 100% at the expense of Mr. Campbell, and no expense to this Borough, that various opinions, consultations, and the like will be required, and that the cost is unknown at this time.

Mr. Campbell said that he had thought that \$1000 which had been provided to the Borough would allow us to move forward, that he would be surprised if \$1000 would not cover the expenses the Department of Commerce would not cover, that his effort is in good faith, that he had numerous conversations with the Department of Commerce, and there was no indication that this would be this difficult.

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Dan Herr, attorney representing Mr. Campbell, asked if Mr. Campbell would provide more than \$1000, and he indicated he would.

Mr. Campbell said that if we move forward the Borough has several check points to monitor this project.

Mr. Lindsay said that we have no experience from the past to guide on regarding a site assessment, that our experience has been with long and tedious procedures in grant applications.

Mr. Herr affirmed that Mr. Campbell is very knowledgeable and would not drop it in our lap.

Mayor Ryder said that it appears from the last meeting that we are the sponsor, that we are the recipient, and we are responsible for this. A lot of involvement, and we were quite willing, until we realized that we are the one actually handling this.

Mr. Herr said that Mr. Campbell, under the terms of the program, can actually solicit the bids, and do the actual legwork.

Mayor Ryder asked if we were not liable, inasmuch as we are actually doing it.

Mr. Campbell said that D.E.R. has already approved the scope of the work.

John Penatzer said that it is in our interest to have something done with that building, that this is our best shot at having something done, and in our best interest to do it and put the property back in use.

Dan Herr cited the Alcoa site in the city, that this is similar, an opportunity to get an industrial site back into use, and to get a lot of knowns taken care of.

Velma Lutz wondered about Mellon Bank's involvement in this, and if they wouldn't be required to do something.

Mr. Herr said that Mellon Bank is working out a new agreement, to permit this to go ahead, and would not oppose the application.

President Lindsay asked about the audit, and wondered that if the site assessment goes forward, a lot of work would be involved in going through it.

R.B. Campbell said that there is an incentive to go forward, that whatever environmental remediation is required, under this Program, the state will reduce the cleanup standards, to allow it to occur, that it adds to the possibility of carrying it out.

Len Ferber had three questions: (1) has the agreement with Mellon Bank been resolved? Mr. Herr said it has. (2) What red flags are occurring for the Borough, regarding legal liability? (3) Whose commitment is the cleanup? Mr. Herr and Mr. Campbell agreed that the Borough should not be liable, and that the commitment will be R.B. Campbell's and Mellon Bank's.

Bill Crosswell asked if the condition of the agreement to buy the property is to clean up the property? Are you committed unconditionally to clean up the site?

Mr. Campbell said that it is his understanding that the condition of the agreement to buy the property, is that it would be his responsibility.

Len Ferber asked again if the Borough has any legal liability in this?

Mr. Herr said that the Borough is to act as the escrow agent.

Bill Crosswell said that there shouldn't be any liability, but in these cases, they go after anyone involved. He went on to advise that the Borough should get a letter that under no circumstances would the Borough be a responsible party, in the event DER/EPA must go back and be involved and that the Borough involvement in this Program will not result in the Borough being considered a responsible party in any proposed or eventual cleanup that might occur.

John Penatzer asked that we provide Mr. Campbell with the information he is asking for in order to proceed.

Mayor Ryder said it is important that we know what all of our expenses are going to be, and that potential liability is part of our expense.

Mr. Herr wondered if he could draft a letter to the solicitor, and if it is O.K., then have the Borough Manager sign it, to proceed?

Len Ferber said he felt that conditional approval could be given if an agreement could be provided that any expense would be reimbursed, that a release of liability would be provided, and that something in writing from Mellon be obtained supporting the application.

Mr. Crosswell outlined the issues that should be in such an agreement, that language regarding the escrow account, and whether interest bearing or not, that the effort to cooperate would not be construed to mean anything else, that indemnification provisions be provided, and that the agreement involves no further or other development. He suggested that Mr.

Campbell should agree in writing to the conditions suggested initially, and the three additional ones. The acceptance by the private developer and agreement to do an escrow agreement and the Borough has the right at any time to withhold for whatever reasons its approvals as another means to secure funds for reimbursement, and that letters from DER/EPA be obtained. It would save us some expense if Mr. Campbell could get these issues addressed in writing from Commerce/DER as to what is expected.

Mr. Ferber then formulated a motion that the applicant supply the hold harmless agreement from DER/EPA; that an escrow agreement be redrafted; that reimbursement of all Borough expenses be provided; that a letter from the bank be provided; that a letter obtained from Mr. Campbell accepting the conditions outlined; and that we proceed with the application on the condition that the 5 conditions are met. The letter from the Bank is to show that they support Mr. Campbell and his activities. Seconded by John Penatzer, the motion carried 7-0.

NEW BUSINESS.

CHATHAM COMMONS - UPDATE TO TRAFFIC ORDINANCE. The proposed ordinance was reviewed, which established the stop signs on Chatham Commons, and also included those on Hampden Drive. Mayor Ryder suggested that one be added at Cambridge, stopping at Coppersmith, going southbound. Len Ferber made the motion the advertise the ordinance. Seconded by John Penatzer, the motion carried 7-0.

HAMPDEN DRIVE - FIRST INVOICE - \$19,289.43. Velma Lutz raised a question about temporary parking in a turnaround at the end of the streets, and whether it should be allowed. It was agreed that we research it, for further discussion. Dorisann Haug made the motion to approve the invoice as presented. Seconded by John Penatzer, the motion carried 7-0.

95 BUDGET. The first draft of the preliminary budget was presented, with the corrections made at the Finance Committee Meeting, held the previous week.

SAVING FROM THE BUILDING PAYMENTS. Whether to keep this amount in the budget or to reduce it was discussed. Mayor Ryder suggested that one use for the savings would be to put it towards the subdivision of Lancaster Avenue Borough property. The costs involved were discussed, and the possibility of splitting the cost over two budgets it was finally agreed to not change the figures at this time.

WATER SYSTEM. The status of the water budget was discussed, as it is slightly in the black at the end of this year. It was agreed that we can't operate it at a loss, that an increase in the size of the water rates may be needed, and that we should look at the whole program.

RECYCLING/SOLID WASTE. It was suggested that this should be included in the budget, to show the activity financially.

President Lindsay asked the Council to think especially about the policy issues, and the philosophies involved in the budget, for the next review.

OTHER BUSINESS.

ACTIVITIES REQUEST. Mayor Ryder asked for approval for "Christmas On The Square" for December 18, 1994, and recommended approval. With a motion by Len Ferber, the motion was seconded to approve the request by Carroll Lindsay, and carried 7-0.

OFFICER RESIGNATION. Mayor Ryder reported that Officer Krantz resigned last week, and that they are working on a replacement through the civil service procedures.

SEWER AUTHORITY. Gene Osmun reported that the Authority members had asked to meet with the Council this week, to discuss the construction of a new plant. President Lindsay advised they write to the Council, or to send a representative to the next meeting, to present their concerns.

HARB. Velma Lutz suggested a joint meeting with the Council and the HARB, to do some serious review of matters of mutual concern. It was agreed that the HARB would benefit from more specific guidelines.

CITIZEN'S COMMENT. Don Bachman reported that the dedication of the Veteran's Memorial is to be held in the Square, on November 6th, at 1:30 P.M.

ADJOURNMENT. With no further matters for discussion, President Lindsay adjourned the meeting at 10:30 P.M.

Respectfully submitted,



Gene Osmun, Secretary

1994-125

STRASBURG BOROUGH COUNCIL
Minutes of November 8, 1994 7:30 pm

MEMBERS PRESENT: Lindsay Lutz Ferber Penatzer
Barnett (8:00) Haug Coleman (8:00)

OTHERS PRESENT: Bruce Ryder, Mayor(8:00)
William Crosswell, Solicitor
Gene Osmun, Borough Manager
Ray Miller, HRG Engrs.
Suzanne Keene, Lancaster Newspapers
Lori VanIngen, Local Ledger
Allan Goberman
G.P. Devery
Richard Mentzer
Harold Wiker
M. Robert Myers
Daniel Sigman
Fernand Frederic
Charles Danner Jr.
Kenneth Retallack
Jim Breon
R.B. Campbell
Larry Book
Gary Myers
John Homsher
Donald Bachman
Paul Miller, Jr, Public Works Foreman
Robert N. Ham, Police Chief

CALL TO ORDER AND SALUTE TO FLAG. The meeting was called to order by Vice-President John Penatzer followed by the salute to the flag.

REQUESTS TO BE HEARD. Mr. Fernand Frederic of 140 Shenk Avenue was present and described a water problem on Shenk Avenue. He cited the Borough Council minutes of May 5, 1969 and indicates that they describe his problem in detail. Mr. Frederic would like the Borough to take some action to help correct the problem.

MINUTES OF OCTOBER 11, 1994 and OCTOBER 25, 1994. Len Ferber made a motion to accept the minutes of the two meetings, as presented. Seconded by Dorisann Haug, the motion carried 5-0.

SOLICITOR'S REPORT. BOROUGH REZONING - Bill Crosswell indicated that he revised and advertised the ordinance to amend the zoning map of the Borough to change the zoning of the municipal building, and that it is subject to a public hearing on 12/13/94. TRAFFIC ORDINANCE - Revised and advertised the traffic ordinance to establish new stop intersections for consideration on 11/22/94. GOBERMAN SKETCH PLAN - Prepared the proposed conditions to be attached to the Goberman sketch plan, when approved. CURFEW ORDINANCE -Advised of the need to carefully draft it, said that he reviewed the curfew ordinance and made some suggested revisions. ROOF REPAIR - Provided a contract, payment and performance bond to

the Borough Manager for the roof repair. PAYMENTS TO SLSA. He indicated that he has received information regarding the payments to SLSA from 1975-present and this information was submitted to Gordon Walker. Mr. Walker will analyze these payments and determine the balance currently owed to Suburban. REGIONAL COMMITTEE - Working with the Mayor, he has assisted in the development of a memorandum of understanding and a resolution for the Regional Committee and SLSA.

Velma Lutz questioned how a house on Hampden Drive, that is incorrectly zoned as R-H, could be correctly rezoned. She cited some other mapping problems, including that of Ellis Bachman's property on South Decatur, which is commercial, but zoned residential. Mr. Crosswell advised that all the changes needed to be submitted to the LCPC for their review. If a number of these exist, he suggested doing them all at one time.

MAYOR'S REPORT. President Lindsay said the Mayor would provide this later in the meeting, due to a delay at the polls.

ENGINEER'S REPORT. Mr. Miller indicated that in addition to the items already on the agenda, he had nothing special to report.

PRESIDENT'S REPORT. President Lindsay had nothing special to report but wanted to express thanks to the Borough Manager for his hard work which resulted in a \$139,000 grant for improvements to South Jackson Street.

OTHER REPORTS.

MANAGER'S REPORT. Gene Osmun presented and reviewed his written report. OFFICE COMPUTER PROBLEM. He indicated that the server for the office computer recently died. Council advised that he was to proceed with the purchase of the upgrade which was already budgeted. KENWAR PROPERTY. Gene also explained that R.B. Campbell submitted a letter stating he would seek another sponsor for his project involving the Kenwar building. DRAINAGE PROBLEM. The drainage problem that Mr. Frederic mentioned earlier was also included in the Borough Manager's report. Gene indicated that in the past, the Borough has had the opinion that this is a civil matter between neighbors not involving the Borough. However, the Borough Manager feels that a meeting between the parties involved to discuss the problem would be beneficial. Concern was raised regarding the Borough's involvement, if the parties are threatening legal action. Mr. Frederic indicated that he had not contacted a lawyer but that Mr. Steve Echternach had. The problem involves a drainage ditch between the properties that he has cleaned out. However, he feels that if the ditch isn't redug to direct the water, it will continue to saturate the properties on Shenk Avenue. Bill Crosswell suggested that the Gene review the file, then contact him to discuss it. Council advised Gene to convene a meeting of the parties involved to discuss the issue with relevance to the Borough's potential involvement.

PUBLIC WORKS REPORT. Paul Miller was present, and had submitted a written report. Council reviewed the written report without comment.

POLICE REPORT. Chief Ham had submitted a written report. The report was received without any questions.

UNFINISHED BUSINESS:

GOBERMAN SKETCH PLAN. Mr. Crosswell's proposed conditions to the Sketch Plan were reviewed. Mr. Lindsay questioned the ambiguity in proposed condition # 7. Bill Crosswell advised that the contribution from the developer was discussed with the Borough Manager, reviewed with Mr. Goberman's attorney, Bill Chillas and they felt they were acceptable. He had also gone over the minutes of the Authority meeting, and although not specific, it is what he had to work with. Mr. Devery indicated that they had discussed the lift station with the Authority and at that time it was decided that Mr. Goberman was to provide the location, interconnecting lines between the distribution and pressure lines, a new building over the existing generator, and the labor. He didn't know about the pump adequacy, only that the wet well is inadequate. The Borough is to provide the pumps, wet well and the equipment. Ray Miller said that it would be helpful to review the plans, once they are together, and evaluate the pump station, as well as the adequacy of the force main. President Lindsay said that we need a clearer document regarding the commitments.

Pat Devry offered to work with both the Authority and the Borough in working out the upgrade to Pump Station # 2, and with the engineer regarding any of the items that may come up.

President Lindsay recommended that Item # 7 be reviewed by the Engineer and the Manager, to come up with a recommendation, that we have nothing in writing at this point.

Ray Miller recommended a document that outlines who provides the land and equipment, and who has the responsibilities.

President Lindsay said that if possible, we should determine the costs, and the proper proportions for each party.

John Penatzer wondered if the force main would be involved as well, and it was agreed that it could.

After further discussion about the drafting of the agreement, Attorney Crosswell suggested that the developer should be responsible for the cost and installation for the pump station equal to accommodate the size of his development, and that the differential would be the Borough's. He expanded this to say that Mr. Goberman would be responsible for his pro rata share of the pump station. If it would be large enough to serve outside of the development, then that would not be his responsibility, that we are trying to establish his fair and equitable share.

Pat Devery reviewed Item # 11, regarding the street right of ways in the proposed development, and that they have been unable to locate them. They were apparently offered to the Borough for dedication, but not recorded, and will have to be researched further.

Bill Crosswell said that as a general legal principal, if the streets are older than 21 years old, the right to open has lapsed. If less than 21 years, then the Borough still has the right totake the streets. It is not the Borough's

obligation to research the legal status of these streets, that there are many questions, and it is a complicated issue. He said that although they may not have been filed in the Courthouse, if done by Ordinance, they may be O.K, but there is a lot of unknowns to be explored.

Pat Devry questioned the situation with Item # 12, with regard to Lot # 3, advising that the side yard setback violates the right of way.

Len Ferber said that we can't speak for these easements without further research, that our priority is that we need the street.

It was agreed to table the matter temporarily for Attorney Crosswell to revise a draft of the conditions reviewed for reconsideration by Council, and approval by the developer.

SEWER AUTHORITY - Mr. Bob Myers on behalf of the Sewer Authority was present and advised that at the Authority meeting with Mr. Goberman, he was advised that the pump station was to be moved solely for Mr. Goberman's benefit and therefore was his financial responsibility. However, since the existing wet well was not in good shape, the Authority would be responsible for the wet well, all other costs would be his. The pumps were installed in 1973, Spotts, & McCoy were the engineer, and assured us the pumps would be adequate for Clark's development.

The main reason Mr. Myers was present this evening, however, was to discuss the \$64,000 bill from SLSA for the capital improvements. He explained that this billing began in 1985 when SLSA built a new plant and they assessed fees for this capital improvement. Strasburg received their assessment and has also had several bills since then and Mr. Myers believes they will continue, in addition to the electric and sewage treatment charges. The Authority is suggesting we examine the possibility of Strasburg having its own treatment plant and possibly looking into the costs and the possibility of grants. Harold Wiker presented some information he gathered regarding cost estimates and operating procedures from other municipalities' sewage plants, indicating that comparable sized plants are in the neighborhood of 1 to 1.5 million dollars, with minimal operating costs. He went on to add that a comparison should be done to see what is currently being charged to us by SLSA verses the cost of our own plant. Council indicated that it supports the Authority in looking into this further by working with the engineers, and the consensus was to go forward in looking into it.

CURFEW ORDINANCE - Bill Crosswell suggested some revisions are necessary to develop an ordinance that will hold up in court and not infringe on first amendment rights. He can provide a typical ordinance that will suffice, and he can work with the Police Chief on this revision.

HAMPDEN DRIVE CHANGE ORDER - President Lindsay explained the problem that the installation of the slant curbing created on Hampden Drive with at the entrance to the municipal building drive. Three options have developed: one, at a cost of \$1080, to remove the section, two, \$2300, to install black top behind it, and three, \$300, to cut the curb to make it level.

Mayor Ryder said one issue to whether we are going to allow ourselves to violate our own Ordinance, because what we have is consistent with our own regulations.

Ray Miiler said that we might want to consider that further work may be needed in the future, that this entrance may change, and that there was a note on the plan requiring some adjustment in the paving. He suggested that we go with something as an interim solution, to deal with it.

Gene Osmun said that another possibility had occurred, which was to do just enough overlay to level it - to not do the full extent of excavation, but just enough to level it, and prevent water ponding. He had discussed this with the contractor, and the cost should be less than \$1000, possibly \$400 to \$600.

John Penatzer made the motion that we do the repair to the driveway by just doing the overlay, and allow it to drain, if necessary, but cutting a slot in the curb. Seconded by Len Ferber, the motion carried 6-1, President Lindsay voting against the work.

ROOFING BID REVISION TO \$11,075 - Gene Osmun said that due to uncertainty about the back garage, the deletion of the reroofing of the area was discussed with the roofing contractor, and it was agreed to delete this from the contract. In addition, a section of the roof was found to have received the seam overlay. It was measured, and a proportionate reduction made in the contract. The reduction for both items was \$2424, and the new contract amount is \$11,075. John Penatzer made the motion we approved the revised bid amount. Seconded by Len Ferber, the motion carried 7-0.

SLSA BILL - STRASBURG'S SHARE: \$64,837 - John Penatzer made the motion to approve the payment of the bill for the Borough's share of the capital contribution required by the City from SLSA, in the amount of \$64,837. Seconded by Len Ferber, the motion carried.

NEW BUSINESS:

SEWER COMMITTEE UPDATE - Velma Lutz questioned the effect the Authority's investigation would have on the Regional Committee's efforts. Mr. Ryder indicated that the Regional Committee has been working with SLSA and its engineers to document how the group is going to work together to finish the Joint 537 Plan. A memorandum of understanding was developed, which consists of a Working Relationship document, DER Reimbursement Distribution, Alternative/Site Selection Criteria for evaluation purposes, and how the costs are going to be shared among the municipalities. This document along with a resolution will be presented to the municipalities for approval so they can continue with this process. Mr. Ryder feels that the timing may not be right for the Authority to begin this study. He thinks it may make SLSA think they don't have to work with us and there are some important issues that remain to be decided such as gaining representation on the SLSA board.

The group discussed concerns regarding having the Authority look into options for a new plant and the current meetings between the Regional Committee and SLSA.

STRASBURG APPRECIATION DINNER - SET DATE - After some discussion, it was agreed to hold the annual appreciation dinner on either Friday, December 2nd, or Friday, December 9th, whichever works out best for the Fire Company Auxiliary.

H.A.R.B. - CERTIFICATE OF APPROPRIATENESS - SIGMAN - The Historic Architectural Review Board had recommended approval for Dan Sigman, to change the windows in his home on Miller Street. Velma Lutz made the motion to issue the certificate of appropriateness. Seconded by John Penatzer, the motion carried 7-0.

POLICE OFFICER RESIGNATION ACCEPTANCE - Mayor Ryder advised that Jeffrey Krantz' resignation was effective on October 27th, 1994, and recommended acceptance. Velma Lutz made the motion to accept it, and seconded by John Penatzer, the motion carried 7-0.

SET DATE FOR JOINT COMPREHENSIVE PLAN HEARING - JANUARY 17, 1995 - A memo had been received from Diane Sarti, for the Committee, suggesting January 17th, at 7:30 pm. Dorisann Haug made the motion that we agree to that date, and seconded by Velma Lutz, the motion carried by consensus.

OTHER BUSINESS.

ACTIVITY REQUEST. Mayor Ryder said that a request was received for a parade similar to the one the baseball team received, if the Lampeter Strasburg Band is successful in its Band Competition. Velma Lutz made the motion to approve the request, and seconded by Len Ferber, the motion carried unanimously.

PAYMENT OF THE BILLS. Due to the computer breakdown, it was agreed to grant the authority to pay the bills and authorize approval in two weeks at the next meeting..

CITIZEN'S COMMENTS - Don Bachman thanked the Borough for the assistance received with the memorial dedication in the Square on Sunday. He said that he is working on the second part, which is an honor roll of all who have served in the armed forces, and is looking for help in getting the names, for next Memorial Day.

GOBERMAN SKETCH PLAN. Attorney Crosswell had finished revising the conditions, and read the text of the new condition number 7:

Developer shall, at the option of the Borough, contribute funds and/or labor and materials for the construction and installation of a new sewage pumping station including any necessary force mains within the Development at the location determined in accordance with Condition No. 6 above. The Developer shall be responsible for the cost of a new sewage pumping station, including any necessary force mains, of a sufficient size to accommodate all sewage flows from the proposed Development and from existing service area of sewage Pumping Station No. 2. If a larger sewage pumping station and/or larger force mains are necessary for sewage flows other than the sewage flows from the proposed development and the existing sewage flows of the service area of Sewage Pumping Station no. 2, the developer shall not be responsible for any incremental cost to provide such additional capacity. If no additional capacity is needed, the Developer shall be responsible for the entire cost of the new sewage pumping station, including force mains.

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Len Ferber read the motion to approve the sketch plan, subject to the 18 conditions as outlined in the memorandum prepared by Bill Crosswell. Seconded by Dorisann Haug, the motion carried 7-0.

EXECUTIVE SESSION - WAGE & PERSONNEL ISSUES - President Lindsay recessed the meeting for an executive session involving wage and personnel issues at 9:40 pm.

ADJOURNMENT. The meeting was reconvened at 10:15 pm, and with no further matters for discussion, it was adjourned.

Respectfully submitted,



Gene Osmun, Secretary

1994-132
STRASBURG BOROUGH COUNCIL
Minutes of November 22, 1994 7:30 P.M.

MEMBERS PRESENT: Penatzer Haug Lutz Ferber Lindsay

OTHERS PRESENT: Harold Wiker
J. Robert Hess
Henry Wentz
Larry Book
Larry Wixson
George Erb
Gary Myers
Ken Retellach
Ryan Robinson, Lancaster Newspapers

CALL TO ORDER AND SALUTE TO FLAG: The meeting was called to order by President Lindsay followed by the salute to the flag.

REQUESTS TO BE HEARD. None.

UNFINISHED BUSINESS.

WENTZ SUBDIVISION-RECOMMENDATIONS ON RIGHT-OF-WAY. Gene summarized the issues presented in the application, which had been reviewed by the Planning Commission, and tabled, for clarification on questions raised regarding sewerage, and the necessity for providing right of way for sidewalks on Hillcrest and South Jackson.

After discussion and review of the plans, it was the consensus that the sewer moratorium does apply, and although the property would not be required to have sidewalks now, that the right of ways should be provided on both Hillcrest Avenue, and South Jackson Street for the eventual installation of them. It was also the consensus that the proposed lines should line up with the street lines to the north.

Dr. Wentz was present and stated that the property was surveyed and a plot plan drawn for a number of reasons, that it was thought best to separate the lots. The plan is to sell the lot and house together, with the small piece to be added to Harold Wickers, and that in any case the lot to the east or west will end up with the full sized developable lot.

Harold Wiker suggested that because of the sewer moratorium that a note be put on the plan that a building permit not be issued until the sewer capacity is available, and that it would make sense to pass it with this provision.

The Council concurred with this, and agreed to convey this advice to the Planning Commission.

AGREEMENT FOR LIGHTING - HAMPDEN DRIVE (NEW). Len Ferber made the motion to approve the lighting agreement with PP&L, for the installation and operation of the three lights along the newly constructed road. Seconded by Velma Lutz, the motion carried 5-0.

HAMPDEN DRIVE PAY REQUEST - SECOND. Velma Lutz made the motion to approve the payment, for the work recently completed to date, to Harold Wiker & Sons. Seconded by Susan Barnett, the motion carried 5-0.

CONTRACT EXTENSION. Harold Wiker was present, and requested an extension in his contract to complete the work, including the top coat of the paving and the landscaping. Due to the weather, the deadline for paving with Liquid Fuels money has passed, and he would complete it in the spring. Len Ferber made the motion to extend the contract to April 31st, 1995. Seconded by Velma Lutz, the motion carried 7-0.

John Penatzer raised the question about whether we should use the driveway as it is, whether we wanted people to drive on the road as it is this winter, and whether we wanted to light it.

Harold Wiker suggested barricading the road with concrete barricades and repairing the driveway behind the entranceway so it could be used. He would provide the barricades, and install the pavement repair, at a price estimated to be less than \$1000.

It was Council's consensus to make the improvements suggested, and to have the lights turned on.

STOP SIGN ORDINANCE - CHATHAM COMMONS, HAMPDEN DRIVE. The proposed ordinance had been advertised, and Len Ferber made the motion to adopt it as drafted, with the provision that the stop sign be added at Coppersmith, as previously suggested. Seconded by Velma Lutz, the motion carried 7-0.

COMPREHENSIVE PLAN. Mayor Ryder said that he had talked to John Hohman regarding the addition of information about the 896 plan, and he has sent us the sections revised for our review. Council will review this for correctness. The proposed Hearing on the Plan is proposed for January 14th, 1995, at a place to be determined.

NEW BUSINESS.

TENTATIVE 95 BUDGET. President Lindsay opened the discussion by advising the Council that the Borough faces a \$51,000 shortfall in 1995 with the current budget, and that we must raise taxes or reduce expenditures for the coming year. The sewer and water rates can remain the same.

Mayor Ryder said that it was suggested that we pay the street lighting out of Liquid Fuels, to save \$26,000, but believes we should drop the idea.

Velma Lutz questioned the income proposed for the transfer tax, that \$22,000 or \$23,000 would be more realistic.

After some review, it was agreed that the proposed \$5000 transfer to the Sidewalk Reserve could be eliminated for this year.

A discussion about the proposed police officer followed, and Len Ferber asked the status of this, advising that this would cost about \$29,000 for the coming year.

Chief Ham indicated that the part time officer didn't work every other weekend this year, and the estimated savings, if you included overtime costs, might save \$19,000.

John Penatzer said that our practice of spending down our balances has created this shortfall.

Mayor Ryder said that the hiring of the officer was authorized two years ago, and postponed, and questioned the wisdom of delaying this need again to save budgeted funds.

Dorisann Haug questioned the Police Equipment Fund at \$7700, and wondered if this couldn't be cut, and Council agreed to a reduction of \$4000.

On page six, it was further agreed to cut the building code budgeted amount by \$1100. Len Ferber said that a statewide building code could conceivably be in place in the near future.

President Lindsay said that the municipal building is costing us around 4.5 mills, or around \$100,000 of our tax base.

Dorisann Haug wondered if \$1000 could be taken out of the Joint Recreation Project, but after further discussion, it was agreed to leave it in as planned.

Velma Lutz compared the fines received from 1988 to 1995, with the police budget for each year. In 1988, with a budget of \$122,000 fines were \$15,000, but in 1995, with a budget proposed of \$228,000, the fines projected are \$5,000.

Chief Ham said that part time man used to work two part time jobs. He was at our beck and call for speed checks, but that is out now, and we can't do that. Speed checks run during the week require one full time man, and one part time man - with one man, you can't do that.

Velma said that she wants to get the information to justify a 3 mill tax increase.

President Lindsay said that we shouldn't spend 61% of our tax revenue to keep this building. Why do we need it. We are spending 4.5 mills to keep it.

John Penatzer said that if 61% of our tax revenue goes to keeping this building, the same money goes to keeping the land involved with it for future use. Some Boroughs spend \$10 per head on recreation - we do not do that. There are certain things you have to pay for.

Extensive discussion followed on the need for recreation in the Borough, and the need for space and the Borough having had the foresight to look ahead.

Velma asked about the status of the sewer moratorium. Mayor Ryder said that he would expect that during the year something will change, but we can't count on it.

President Lindsay said that it is a long term problem, and to rely on this is not the way to increase the tax base.

PURCHASE OF VEHICLES. With the County requiring notification about what vehicles we intend to purchase this year, it was the consensus of Council that we purchase both the public works truck, and the police car.

PAYMENT OF THE BILLS. The bills were presented this evening for approval due to the computer breakdown prior to the previous meeting. Susan Barnett made the motion to approve the bills as presented, seconded by John Penatzer, the motion carried 7-0.

COMPUTER PURCHASE. Gene Osmun estimated that the computer purchase proposed could be accomplished for less than \$8000, and that funds remained in the budget, which could be utilized for this. It was Council's consensus to proceed with this purchase.

Joe Coleman asked that in the future bills listed as a voucher number be itemized, for review.

CERTIFICATE OF APPROPRIATENESS. The certificate of appropriateness, as submitted by the Historic Architectural Review Board, for the Erb property on East Main Street, was approved as presented by a motion by Len Ferber, and a second by John Penatzer, all members concurring.

RECREATION GRANT APPLICATION. John Penatzer asked if the Council was interested in pursuing a DCA Grant under the Keystone Recreation Bond Issue, that some organizations had contacted him regarding donating funds towards the development of the land behind the municipal building, in the amount of around \$35,000. Mayor Ryder suggested we explore this further, and Council unanimously agreed. John advised that their immediate concern would be for a ball field, but that storm water would need to be addressed as well. The Mayor said it is worth exploring, and it was agreed to look further at making the land available, that someone needs to take the initiative.

PROPOSED RECYCLING PLAN. Gene Osmun passed out the draft plan that had been drawn up by Tim Breneisen, of the LCSWA, after meeting with the Committee, and provided for our review for consideration at the December 13th Meeting.

CITIZEN COMMENTS. Don Bachman said his budget for the Monument is still on track, and he is still looking for names of any local service people for placing on the honor roll to be put into place next Memorial Day.

EXECUTIVE SESSION. President Lindsay advised that the Council would adjourn to an executive session, to discuss wages for Borough employees.

The meeting was reconvened at 10:40 pm. President Lindsay said the Council had agreed on a salary scale for the coming year, and to finalize the budget.

Velma Lutz said that with the changes previously agreed to, we are at a \$45,400 deficit. With a mill at \$18,500, we would require a 2.5 mill increase, and that we can fine tune it in December.

John Penatzer made the motion for tentative adoption of the Budget for 1995 with a 3.0 mill tax rate increase, in the real estate millage. Seconded by Susan Barnett, the motion carried 7-0.

EMPLOYEE MEETING. Council agreed to set a date for meeting with the employees for December 20th, 1994 at 7:00 pm.

Len Ferber said that he strongly feels that the water rates need to be reevaluated for adjustment after the first of the year.

ADJOURNMENT. With no further matters for discussion, the meeting was adjourned, on a motion by Velma Lutz, and a second from Susan Barnett at 10:48 pm.

Respectfully submitted,



Gene Osmun, Secretary

1994-137

STRASBURG BOROUGH COUNCIL
Minutes of December 13, 1994 7:30 P.M.

Members present: Lindsay Lutz Ferber Coleman
Barnett Penatzer

OTHERS PRESENT: Bruce Ryder, Mayor
Gene Osmun, Borough Manager
Fernand Frederic
Suzanne Keene, Lancaster Newspapers
Jeff See, Civil Service Commission
M.R. Myers
Richard Mentzer
Larry Book
Gary Myers
Robert Campbell, Jr.
Naomi Hohman
Ralph Kauffman
Franz Possler
Donald Shuttz
Ernie Ferretti
Bob Ham, Police Chief

The meeting was called to order at 7:30 pm by President Carroll Lindsay.

PUBLIC HEARING - REZONING OF THE MUNICIPAL BUILDING.

President Lindsay turned the meeting over to Solicitor Bill Crosswell, to describe the proposed rezoning of the Municipal Building from R-2 Residential, to C-2 Commercial. He said that the recommendations of the County and Borough Planning Commissions have been received, recommended they be made a part of the record, and the minutes for the proposed rezoning. He added that the advertisement and proof of publication should also be made a part of the minutes. The certification that the property has been posted for at least 7 days is also required, and all of these items are required by the Municipal Planning Code, and part of the necessary procedures required for this action.

President Lindsay asked for public comment, and with none, asked for a motion for enactment. Velma Lutz made the motion to change the zoning of the municipal building to C-2 as proposed, and with a second by Len Ferber, the motion carried 6-0.

CITIZENS TO BE HEARD. Fernand Frederic, of Shenk Avenue, said that something happened last Saturday night, that prevented a catastrophe on Main Street. A 15,000 volt power line fell down, and Officers Echternach and Ferretti saw it happen, and responded. With their professionalism and quick action they possibly prevented a catastrophe. Mr. Frederic wanted to bring this to the Council's attention.

President Lindsay thanked Mr. Frederic for bringing this to the Council, that it was good to hear such a good report.

Mr. Frederic also brought up the matter of the music in the Square, that it had been very loud, that two weeks of it was too much, and as a result of his contact with the Council, it has stopped, and he appreciated it.

R. B. Campbell was present, and presented a proposal to apply for a Site Development Grant from the Pennsylvania Department of Commerce, for the access road into the Kenwar Building. His discussions indicate this would be an ideally suited site, the Borough would be an eligible applicant, that this would be ideally suited idea, and funds are available, although competitive. He is here to see if Council is receptive to the idea, and if so, what arrangements could be made to go forward. The proposed road is called Garden Spot Avenue, located north of the Texaco Station, and would serve Kenwar, and the land behind the Amish Lantern Motel, and the Goberman tract.

President Lindsay recommended that Mr. Campbell present the information to the Borough Manager and bring it to Council at a time deemed appropriate, at a meeting in the near future. He also recommended that appropriate plans and drawings be provided, as drawn by a licensed engineer.

Ray Miller advised that PennDot's review and a highway occupancy permit would also be necessary to do anything regarding Decatur Street.

It was the consensus of Council that when sufficient information is made available, the Borough Manager will put in on the Agenda.

RIGHT OF WAY CONCERN. Ralph Kaufman questioned whether a discussion would be held tonight regarding the Goberman tract. He is concerned about the right of ways involved, traffic, law enforcement, and our town getting too large.

President Lindsay concurred with the concerns, and advised that although it was not on the Agenda tonight, an opportunity would be provided for citizens to be heard regarding these issues. Velma Lutz advised that a traffic study would also be done as well.

MINUTES OF NOVEMBER 8TH AND 22ND, 1994. Len Ferber made the motion to approve the minutes as provided. Joe Coleman mentioned that he was inadvertently omitted from those present for that meeting. With the correction noted, the motion was seconded by Susan Barnett, and carried 6-0.

CORRECTION TO SEPT. 13TH, 1994 MINUTES. Carroll Lindsay mentioned that a correction to the minutes be made, changing the Goberman Plan approval from Final to Sketch Plan. John Penatzer made the motion for the correction, and seconded by Velma Lutz, the motion carried 6-0.

TREASURER'S REPORT. John Penatzer made the motion to approve the Treasurer's Report, as submitted. Seconded by Len Ferber, the motion carried 6-0.

SOLICITOR'S REPORT. Bill Crosswell reviewed his work regarding payments to SLSA, and the review by Gordon Walker, which he believes demonstrates that the payments will be completed by next summer, some 16 years ahead of time, due to the inclusion of the 20% coverage, or safety factor in the payments being applied to the principal due. This was triggered by the refinancing and the review of the agreements.

President Lindsay said he wanted to make it quite clear for those concerned about the solicitor's fees, that this has saved us a lot of money.

Bill Crosswell continued that the quarterly payment issue is still being reviewed and he and the Mayor are pursuing this.

He advised that the Wentz subdivision was reviewed and he had prepared a motion, for the agenda, he had also worked with the Borough Manager regarding the lease of storage space in the municipal building, reviewed the tax exempt status of the proposal, and had also worked with the mayor on regional sewage and AMP issues. He also had worked on the Chatham Commons development for approval in January.

MAYOR'S REPORT. Mayor Ryder asked for Activity Approval for R.M. Smyth, of New York City, to conduct the annual Stock and Bond Sale, at Historic Strasburg Inn on January 25th, 1995. It has run for the last 10-11 years, it is well run, and is no problem. The Council had no objection to the activity.

ENGINEER'S REPORT. Ray Miller advised that he had worked with Gene on a couple of things, including the proposed testing requirements of D.E.R. for organic compounds, the I & I program, in preparing for the flows in the springtime, and suggested that we discuss the proposed work at the January meeting.

PRESIDENT'S REPORT. President Lindsay had no report this evening.

MANAGER'S REPORT. Gene Osmun had provided a written copy of the report to the Council. As requested, he explained that recent water tests were causing a concern, that a sample had tested positive for coliforms and the Public Works Staff was working on determining the source of the problem. Velma Lutz said that the sample should not have been taken at Historic Strasburg Inn, that it had been previously agreed to not do so.

PUBLIC WORKS REPORT. A written report had been submitted.

POLICE REPORT. Chief Ham said that the police phone number 299-3051 was supposed to have been changed when 911 went into effect, but Bell did not do so, so they will be paying the bill for the next year.

Mayor Ryder said we need to follow through with this, and notify everyone on the sewer and water bills this month.

John Penatzer said that he had previously suggested stickers, that we could put them in the envelopes.

Len Ferber complimented the Police Department on the their recent police work, that it was a very good job.

UNFINISHED BUSINESS.

POLICE CIVIL SERVICE. Jeff See, Chairman of the Civil Service Commission, was present, and presented the recently completed civil service list for police officer hiring. 13 applicants had applied, after many meetings,

and the civil service review, a list of three is now available, for the Council to make a selection.

President Lindsay extended his appreciation to the Commission for the good work of the past year.

Mayor Ryder advised that the Council may repeat the interviews and do whatever is necessary, however a lot of work went into it so far, and the results are clearly in order of preference, with one candidate having veteran's preference.

President Lindsay said that Council could pass over the candidate, but it seems unlikely with all of the extensive work that had been done.

CONSIDERATION OF BOROUGH PROPERTY REZONING. Velma Lutz made the motion that the rezoning of the municipal building be made from R-2 residential, to C-2 commercial. Len Ferber seconded the motion, and it carried 6-0.

WENTZ PLANNING MODULE APPROVAL. Attorney Bill Crosswell passed out the motion that he had prepared which included the conditions required and as previously discussed. He advised that the conditions provide the protection needed regarding the sewer hookup situation, that no building permits can be issued until a hookup is approved, and the module can be approved, as the moratorium is based on contractual limits. Approving the module doesn't change the moratorium. John Penatzer made the motion to approve the planning module submitted, authorizing the Borough officials to sign and process it. Seconded by Len Ferber, the motion carried 6-0.

WENTZ SUBDIVISION APPROVAL. Len Ferber made the motion to approve the plan subject to the conditions stipulated in the motion as written by Attorney Crosswell, regarding the sewer hookups, the right of way reservations for sidewalks and curbs, and authorizing the appropriate Borough officials to sign it. Seconded by John Penatzer, the motion carried 6-0.

AUDIT PROPOSALS. Gene Osmun reviewed the proposals received from several accounting firms that had been contacted, for conducting the Borough audit, and after reviewing the comments and prices submitted, it was the recommendation that we stay with Dorwart Andrew for another year. It was the consensus of Council to do so.

LANCASTER AVENUE AND SOUTH JACKSON STREET - CONSTRUCTION WORK - 1995. Gene Osmun described the status of the work on Jackson Street, that it appears funding will be available to do this in 1995. Lancaster Avenue appears to be questionable for funding, and consideration for doing part of the work is needed. Ray Miller said that it was his recommendation that we finish the work undertaken under contract with Rettew, on South Jackson Street and Lancaster Avenue, with HRG overseeing this. He felt that we may receive a little better price in finishing the design with them, let everyone provide their input, then put it out. Mayor Ryder agreed that HRG should review the information prior to the final design. President Lindsay said that Rettew still owes us the work on the project. After some discussion on the alternatives, it was agreed that before further action, specific options need to be developed, for the Council to choose from.

FINAL BUDGET ADOPTION AND TAX, LEVY ORDINANCE. Velma Lutz outlined the need for some possible changes to the preliminary budget previously submitted at 10.5 mills. She suggested a number of areas to look at, including moving some costs to reserve funds. She asked if equipment purchases should be looked at, and expenses for the Borough solicitor to come more from the Sewer Fund. She asked if we needed 3 police cars, that perhaps we should delay for another 6 months.

After some discussion, it was agreed that we dispose of the 3rd oldest car. In police equipment purchases, it was agreed to follow the Chief's recommendation, and replace the walkie talkies, leaving in the cellular phone as well.

Bill Crosswell addressed the issue of Improvement Agreements, and the engineering and inspection involved. He recommended that we take a look at updating and establishing a proper fee schedule, to bring it more into line with the Municipal Planning Code. He also advised having the current fee schedule of our engineer in our file for use for plan reviews. Other items reviewed but left in place in the proposed budget were the fees for Plan Reviews, and for the use of Court Reporters.

In the Public Works Budget, it was agreed we should look at the cost of pagers, to see if a better value could be obtained.

After some discussion, it was agreed to not take the payment of street lighting out of the Liquid Fuel Fund, as suggested, but leave these funds for future street improvements.

It was agreed that we should look over the real estate tax revenue figures.

EXECUTIVE SESSION. President Lindsay recessed the meeting at 9:55 pm for an executive session to discuss salary issues. The meeting was reconvened at 10:10 pm.

SOLID WASTE. Joe Coleman, Chairman of the Recycling Committee, suggested that the Plan we have discussed adopting is Option E. For those who choose to, they can opt out. It would include a Borough wide leaf collection. After some discussion about the difficulties in working out a collection fee for leaf collection, it was the consensus that the more factors added in, will make it more of a nightmare to administer, the question was posed whether it is possible to bid it both with the opt in and opt out idea. Mayor Ryder suggested we defer it until January for discussion, and get newer copies (of the plan) to all members. The group discussed it further, and decided to put it on the December 20th agenda.

NEW BUSINESS:

REGIONAL WASTEWATER FACILITIES PLANNING COMMITTEE RESOLUTION. Mayor Ryder described the work of the Committee, and the need for the resolution to authorize the continuation of the Act 537 Study. President Lindsay asked if the agreement required a C.O.G. to be in effect, so that we can bill other municipalities to do the work, and expect to get reimbursement. Bill Crosswell said the issue is whether it is an enforceable agreement, and if someone doesn't do it, then it will be a problem. President

Lindsay was concerned about the pay mechanism in getting paid. It was the consensus that we make it conditional, with the opportunities for the other (communities) to ratify. The estimated cost is around \$3800 over the next 16 months. Mayor Ryder said DER is encouraging regional plans and the only way they will do a grant is for regional efforts. He explained that the plan divides up the scope of the work, and that it is expected that DER will provide reimbursement up to 50%. Len Ferber made the motion to adopt the resolution as presented. Velma Lutz seconded the motion. President Lindsay asked that we make the resolution conditional on and contingent on adoption by the adjoining townships and municipalities. Len amended his motion to include the changes, John Penatzer seconded the amended resolution, and it passed 6-0.

REQUEST THE STRASBURG AUTHORITY TO SWITCH TO CALENDAR FISCAL YEAR. John Penatzer made the motion to approve the change, as recommended by the auditors. Seconded by Velma Lutz, the motion carried 6-0.

FOR CONSIDERATION - CONTAINERS AND BENCHES FOR THE SQUARE. The Council looked at the proposed items, and deferred any action until a specific proposal is received.

TOY TRAIN MUSEUM - RENTAL SPACE IN MUNICIPAL BUILDING. The proposed agreement for the rental of a room for storage had been reviewed with Attorney Crosswell. Velma Lutz made the motion to approve the lease, and seconded by Susan Barnett, it passed 6-0.

UPDATE ON JT. RECREATION PLAN, APPOINT 2 TASK FORCE MEMBERS. John Penatzer reported on the Recreation Plan, that the representatives got together, and decided to form a taskforce for the purpose of hammering out an Intergovernmental Agreement. Diane Kripis of DCA encouraged us to apply for the Circuit Rider Grant. It will cover \$25,000 to \$30,000 of the salary of a person as director of the program. The Borough has been asked to be the applicant. Each municipality will need to appoint 2 persons as representatives.

John asked permission for the Borough to submit the application for the Circuit Rider Grant, and agree to do the application. We need to pass the resolution, as will each municipality and the School District. Council will need to appoint 2 people to the Task Force, and he recommends the current individuals who have served. The first meeting date is the 4th Monday of February - February 27th, 1994, which would be the first planned meeting. John volunteered, and recommended Lynn's participation. The consensus of Council was to proceed, and President Lindsay asked for a motion authorizing proceeding with the application, with the Borough as the lead agent for the Grant. The motion was made by Velma Lutz, and seconded by Len Ferber, it carried 6-0.

OTHER BUSINESS: CERTIFICATE OF APPROPRIATENESS.(Gross, Thomas, Lutz). Len Ferber made the motion to approve the certificates as presented. Seconded by Susan Barnett, the motion carried 6-0.

PAYMENT OF THE BILLS. John Penatzer made the motion to approve the bills as presented. Seconded by Velma Lutz, the motion carried 6-0.

CITIZENS TO BE HEARD. Ernie Ferretti asked why Council, which just chopped right and left in the Budget, would then turn around and make \$2000 available for recreation. Why must we get in with the Township, and where is the money coming from. He said that it is all coming at one time, it is too much, and asked the Council to take a little care in asking if we need these things. It is just a waste. Richard Mentzer, also in audience, agreed.

EXECUTIVE SESSION. President Lindsay asked for an adjournment to an executive session at 10:40 pm to discuss personnel issues. The meeting was reconvened at 12:10 am.

FINAL BUDGET ADOPTION. President Lindsay advised that the Council had agreed there would be no changes in the Borough personnel structure, that after discussion, it was suggested we hold the millage increase to 1.5 mills, rather than 3 mills, that we must still decide whether to readjust the contribution from the General Fund to the Building Reserve, or the Liquid Fuel Reserve, by the required amounts to balance the budget. After discussion, it was agreed to make the required adjustments from the Building Reserve Fund, and to leave the Liquid Fuel Fund intact, for future road work. Velma Lutz made the motion to adopt the Final Budget with the required changes to balance the document, including an adjustment in the apportioning formula for employee costs to 1/3:1/3:1/3 from the General, Sewer and Water funds. Seconded by Joe Coleman, the motion carried 5-1, President Lindsay voting nay.

TAX LEVY ORDINANCE. (1994-7). Len Ferber made the motion that we approve the Tax Levy Ordinance, as revised, with the real estate millage established at 9.0 Mills, for 1995. Seconded by Velma Lutz, the motion carried 6-0.

CITIZEN'S COMMENT. Don Bachman advised that he felt that the representatives to the Recreation Meetings should be volunteers, rather than paid staff employees.

ADJOURNMENT. With no further matters for discussion, the meeting was adjourned at 12:15 am.

Respectfully submitted,



Gene Osmun, Secretary

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STRASBURG BOROUGH COUNCIL
Minutes of December 20, 1994 7:00 pm

Members Attending: Lindsay Ferber Penatzer Barnett
 Lutz Coleman

OTHERS PRESENT: Bruce Ryder, Mayor
 Gene Osmun, Borough Manager
 Bob Ham, Chief of Police
 Steve Echternach, Sgt. of Police
 Nicholas Ferretti, Patrolman
 Paul Miller, Public Works Foreman
 Lisa Boyd, Administrative Assistant
 Christine Bowers, Secretary/Clerk
 Tim Rineer, Public Works Helper
 Ed Zalewski, Public Works Helper

The meeting was called to order at 7:00 pm by President Carroll Lindsay.

EMPLOYEE'S MEETING. President Lindsay declared a recess in the meeting in order for the Council to meet with the Borough employees for the annual discussion of personnel issues.

At the conclusion of the meeting with the Borough Employees and with no further issues for discussion, President Lindsay adjourned the employee meeting at 7:55 pm.

SOLID WASTE AND RECYCLING. The Council Meeting was reconvened at 8:00 pm.

Joe Coleman suggested that in Section III, that refuse and recyclable materials be collected on the same day. Council concurred with this suggestion. In the last section of III, he suggested that leaf collection be provided by the Contract Hauler for the participating residents. Under section VII he suggested that fees be established under the Policies and Procedures, to try to provide to residents not wanting to participate, the option to purchase tickets the same as the residents who opt in. The reason for this was to give the opportunity to utilize the white goods service just as the opt in program would provide.

Mayor Ryder suggested that a simpler way might be to just require the licensed haulers to provide this service as well. This would relieve the Borough of the task of separating the two.

Mayor Ryder wondered about the twice yearly collection provided for in Section III, and whether leaves ought to be included as well. Council was agreeable to the suggestion to include this as well.

The Christmas Tree collection was discussed at length. John Penatzer suggested that it is simpler to provide it just as it is done now - once a year, with drop off at the Borough shed. With that in mind, it was agreed to delete this service from the contract.

On page 3, Section VIII, it was the consensus that Haulers will be "required" rather than requested to cooperate with all enforcement activities.

The following items were agreed to by consensus:

4 or more residential units will be required to source separate, even though multi-residential in nature.

Policies and Procedures will need to be established prior to including the participants.

Rules and regulations would be established by resolution after bids are received. However, procedures need to be agreed to prior to incorporation in the bid document.

The possibility of having reduced fees for senior citizens appeared to be problematic. After some discussion, it was agreed that the first sentence in Section VII should be revised to: The Borough may provide reduced fees for varied levels of service. All fees will be established in the Program "Policies and Procedures" and may be amended by resolution, as necessary, by Borough Council.

It was also the consensus that the non-residential customers should also source separate the recycleables, as others will be doing.

MOTION FOR ADOPTION. With discussion concluded, Joe Coleman made the motion to adopt the Solid Waste Management Plan, with the corrections noted, and revisions to the previous draft, as stipulated. Seconded by Velma Lutz, the motion carried 6-0.

MUSIC IN THE SQUARE. In response to the question about the issue of the music in the Square being too loud, Mayor Ryder reported that it was resolved, that Chief Ham discussed it with the appropriate persons, and the and the speakers were redirected, with the hours being changed. Next year the group will try a different arrangement. John Penatzer said he was glad not to see it turned off, that it happens too often that the wishes of the majority are not recognized when one party has an objection.

BOIL WATER SITUATION. President Lindsay asked Gene Osmun for a report on the recent water situation in the Borough. He advised that because of a test reported the previous Friday, which indicated coliform and E. Coli in the water, D.E.R. required that a boil water order be implemented through the Borough water system.

The Public Works Department took immediate action to increase the disinfecting rate, surveyed the watershed, carried out additional tests, after consulting with HRG Engineers, and D.E.R. After public notification through the media was given, many calls were taken throughout the weekend, and on Monday. With the test reports in, showing coliforms that day, further steps were taken including shifting the water source from the springs to the wells, and implementing chlorination throughout the system. Further testing was done, in both the treated as well as the sources. The test results that came in today indicated no evidence of coliform, so it appears the situation has been stabilized.

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Further efforts are being taken to evaluate the system, including flushing the system and inspecting the reservoir.

After some discussion, it was agreed that we will continue to evaluate the problem, and at a later date discuss the status, the concerns, and determine ways to do a better job with regard to not only the treatment, but also in carrying out the emergency procedures.

ADJOURNMENT. With no further matters for discussion, John Penatzer made the motion for adjournment at 9:15 pm.

Respectfully submitted,

Gene Osmun, Secretary

1994 01

STRASBURG BOROUGH COUNCIL
Minutes of January 3, 1994
Organization Meeting

PRESENT: Ryder Lutz Haug Ferber (7:40)
 Lindsay Barnett Penatzer

OTHERS PRESENT: Robert Ham, Chief of Police
 Paul Miller, Public Works Foreman
 Lisa Boyd, Administrative Assistant
 Don Bachman

The meeting was called to order by President Bruce Ryder followed by the salute to the flag.

OATH OF OFFICE. President Ryder introduced District Magistrate Maynard Hamilton, who then proceeded to administer the oath of office to Bruce Ryder, officially beginning his four year term as Mayor. Magistrate Hamilton then administered the oath of office to the newly elected Councilpersons - Dorisann Haug, Susan Barnett, and Velma Lutz, each to serve four year terms. Then Magistrate Hamilton administered the oath of office to Lisa Boyd, to serve as the Borough Tax Collector for a four year term. The Certificates of Election for each were presented for filing in the Borough Office.

ELECTION OF OFFICERS.

PRESIDENT OF COUNCIL. Mayor Ryder entertained a motion from John Penatzer nominating Carroll Lindsay to the Office of President. Seconded by Dorisann Haug, the motion carried unanimously. With no further nominations, John Penatzer made the motion that the nominations for president be closed. Seconded by Dorisann Haug, the motion carried 5-0.

VICE PRESIDENT OF COUNCIL. Mayor Ryder accepted a motion from Dorisann Haug nominating John Penatzer to the Office of Vice President. Seconded by Susan Barnett, the motion carried 5-0. With no further nominations, Velma Lutz made a motion that the nominations be closed. Seconded by Dorisann Haug, the motion carried 5-0.

CHAIRMAN OF THE VACANCY BOARD. Carroll Lindsay made the motion to nominate Ellis Bachman to the position as Chairman of the Borough Vacancy Board. Seconded by Dorisann Haug, the motion carried unanimously. Dorisann Haug made the motion that the nominations be closed. John Penatzer seconded the motion, which carried unanimously.

1994-02

Mayor Ryder then turned the meeting over to the newly elected President, Carroll Lindsay.

APPOINTMENTS.

NEW COUNCILPERSON. John Penatzer made the motion to enter the name of Joseph Coleman in nomination for the Council seat vacated by Bruce Ryder, and to serve the unexpired term of two years. Seconded by Dorisann Haug, the motion carried 4-0, with Velma Lutz, and Len Ferber abstaining. After some discussion regarding the procedures followed in the selection and nomination process, and with no further nominations from the floor, Dorisann Haug made the motion that the nominations be closed. Seconded by John Penatzer, the motion carried 4-0, with Velma Lutz, and Len Ferber abstaining.

BOROUGH SOLICITOR. Dorisann Haug made the motion that Bill Crosswell, of the firm of Morgan, Crosswell, Hallgren, and Kane be appointed as Borough solicitor for the coming year. Seconded by Susan Barnett, the motion carried 6-0.

BOROUGH ENGINEER. John Penatzer made the motion that Herbert, Rowland and Grubic, Inc. be appointed as the Borough engineer for 1994. Seconded by Susan Barnett, the motion carried 6-0.

BANK DEPOSITORY. Dorisann Haug made the motion that the Bank of Lancaster County be appointed as the official depository for municipal funds for 1994. Seconded by Susan Barnett, the motion carried unanimously.

COUNCIL COMMITTEE ASSIGNMENTS. President Lindsay reviewed the memorandum regarding the application of the Sunshine Law to Committee meetings, which advised the alternatives available to the Council in holding meetings. After some discussion about the current needs of Council, and past practice, it was agreed that the Manager would contact individual members of Council for advise and counsel regarding specific problems, and as the need arises, the President could then appoint ad hoc committees, with the meetings then to be advertised. The consensus was, for the present, to go with Council members acting individually, , with no specific committee assignments.

BOARD VACANCIES

PLANNING COMMISSION. No nominations were made, and the Council will continue reviewing prospective members for the current vacancy existing.

1994-03

BOROUGH AUTHORITY. Velma Lutz made the motion to appoint Harold Wiker to the Borough Authority, for a five year term. Seconded by Dorisann Haug, the motion carried unanimously.

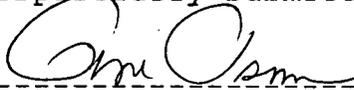
HISTORIC BOARD OF REVIEW. John Penatzer made the motion to appoint Thomas Groff, to another five year term on the Historic Board of Review. Seconded by Dorisann Haug, the motion cardried 6-0.

ZONING HEARING BOARD. Dorisann Haug made the motion to appoint Paul Mills to an additional five year term on the Borough Zoning Hearing Board. Seconded by John Penatzer, the motion carried 6-0.

President Lindsay asked the Council to think about candidates for the opening on the Planning Commission, for the next meeting.

With no further matters for discussion, Susan Barnett made the motion to adjourn the meeting, and seconded by John Penatzer, the motion carried unanimously at 8:22 P.M.

Respectfully submitted,



Secretary

1994-04

STRASBURG BOROUGH COUNCIL
Minutes of January 11, 1994

MEMBERS PRESENT: Penatzer Haug Lindsay Barnett
 Lutz Ferber(8:17 P.M.)

OTHERS PRESENT: Bruce Ryder, Mayor
 Robert Ham, Chief of Police
 Lisa Boyd, Administrative Assistant
 Paul Miller, Public Works Foreman
 Jocelyn Barnett
 R.M. Wetzel
 William Koch III
 Suzanne Keene, Lancaster Newspapers
 G.R. Dewey
 Clarence Droms
 Thomas Talbott
 Don Bachman

CALL TO ORDER. The meeting was called to order by President Carroll Lindsay followed by the salute to the flag.

SWEARING IN OF NEW COUNCILMAN. Mayor Bruce Ryder conducted the swearing in of Joseph Coleman, as the new Councilman to fill his unexpired term, and welcomed him to the Council.

REQUESTS TO BE HEARD. None.

MINUTES OF THE PUBLIC HEARING, ON DECEMBER 14, 1993, THE REGULAR MEETING ON DECEMBER 14, 1993, THE SPECIAL MEETING, ON DECEMBER 28TH, 1993, AND THE ORGANIZATIONAL MEETING, ON JANUARY 3RD, 1994. Dorisann Haug made the motion that the minutes submitted, be approved as presented. Seconded by Susan Barnett, the motion carried 6-0.

TREASURER'S REPORT. The monthly treasurer's report was submitted, and available for review.

SOLICITOR'S REPORT. CABLE FRANCHISE. Bill Crosswell said that the work on the franchise agreement has been completed and if the Borough would forward the bill for the work on this, to the Cable Company, it will be reimbursed, according to the Act. DAMAGED SEWER LINE. He advised that the agreement for the relocation has been reviewed, and signed, and that the next step is to get the legal description and plan for the old easement extinguished, and the new one drawn up, and mutually approved, by the Borough, the Authority, and the property owner. FIRE COMPANY RECOGNITION. He stated that the proposed ordinance officially recognizing the fire company is available for adoption. TAX COLLECTOR DEPUTIZATION. Bill described the procedure necessary to deputize the school district as the assistant tax collector, so that they can collect the school district taxes.

1994-05

SOLICITOR'S REPORT. (CONTINUED) AMP AGREEMENT. This agreement has been finalized, and is available for Council's review. PRETREATMENT. He advised that he had talked to the City Solicitor, and at the present time, there is no real need for the Borough to enact this legislation. SLSA. Bill reviewed the status of the situation with SLSA, and that it depends on the City and on SLSA revising their agreements. SLSA has also agreed to look at quarterly flows, rather than monthly flows, in determining average daily flows. President Lindsay wondered if it might be prudent for us to adopt the pretreatment ordinance anyway, as a safeguard. Bill Crosswell suggested that the City will be developing a model ordinance, and we could utilize that when it is available. As an interim measure, however, it was agreed that a resolution be put into place requiring that any new flows into the system must meet all applicable requirements of federal, state and local governments.

MAYOR'S REPORT. The mayor advised that he had no report.

ENGINEER'S REPORT. Ray Miller, of HRG Engineers, was present, and introduced himself, advising that he had no report for this meeting.

PRESIDENT'S REPORT. President Lindsay described the Planning Commission meeting in which the Harnish proposal was reviewed, and the request being sent to PennDot regarding the traffic problems on Miller Street. He mentioned to Council that he has asked that the personnel issues raised at the employee meeting be addressed, and also stated that having attended the Comprehensive Planning Meeting on Monday, that the process is nearly complete, and that a draft will be available for the February Meeting, and indicated his belief that the public must be a part of the review process.

OTHER REPORTS

MANAGER'S REPORT. Gene Osmun had submitted a written report, and mentioned that we should begin the work on the recycling, and to that end had contacted Tim Breneisen, of the Solid Waste Authority, regarding this. It was agreed to have Mr. Breneisen attend a meeting in the near future, to begin these discussions.

PUBLIC WORKS REPORT. Paul Miller described the situation with the chlorinators, and the work on the building being built to house the one. Once completed, D.E.R. will inspect it for operation.

POLICE REPORT. Chief Ham had presented his annual report, which statistically presented the incidence of offenses in the Borough during the past year. It was well received by the Council, with compliments on the fine work.

1994-06

UNFINISHED BUSINESS:

CONDITIONAL USE - GAMBUS COMPANY. Gene Osmun advised that a letter had been received from the Gambus Company requesting their application for a conditional use for the former Kenwar Building be withdrawn.

TAX COLLECTION - REPORT ON THE STATUS. Gene Osmun reported that the tax collection had been discussed with the school district, and with Bill Crosswell, and agreements are to be approved that will maintain the situation as it is. With a question about the compensation for collection of the county tax, it was agreed to look at this further.

NEW BUSINESS:

CAIN AGREEMENT. Bill Crosswell had reported on the status of the agreement with the Cain family, regarding the damaged sewer line to be relocated, that agreement had finally been reached, and that the Council should ratify the agreement now, to proceed with the correction of the problem. Len Ferber made the motion to accept the agreement as written. Seconded by John Penatzer, the motion carried 7-0.

PRETREATMENT AGREEMENT. Bill Crosswell reported that Bob Sisco of his office had attended the Pretreatment Meeting held by the City in December, and had since discussed whether Strasburg needed to implement the regulations. It appears that there is no imminent need to do so at this time, with no industrial polluters within the Borough. After some discussion, it was agreed that it would be prudent to address the problem. Bill Crosswell suggested that we wait until the City provides a model ordinance for us to adopt, and in the interim, we adopt a resolution providing some assurances. He suggested a motion that every applicant for a sewer permit in the Borough of Strasburg involving the introduction of industrial waste into the sewer system, would have to comply with all federal, state, and local regulations regarding the treatment and pretreatment of waste. John Penatzer made the motion that we adopt the resolution as presented. Seconded by Len Ferber, the motion carried 7-0.

1994-07

GOBERMAN SKETCH PLAN. Pat Devry, of GPD Engineering, was present on behalf of Allen Goberman, regarding the status of the sketch plan, for the housing development in Garden Spot Acres. Mr. Devry said that Mr. Goberman was unable to be present, due to illness, but would like to keep the plan active, and would like to request that the Council table the plan at the present time, because of the moratorium on sewer capacity that still is in place. He would request that the Council table the plan until resolution of the issue occurs, when there is "light at the end of the tunnel." With a need for the developer to provide a written extension of time, Bill Crosswell suggested the developer execute a form providing an indefinite extension of time. Mr. Devry, and Mr. Crosswell then worked out the agreement while the meeting continued with other issues.

REQUEST FOR TRAFFIC STUDY. Gene Osmun reviewed the recommendation of the Planning Commission that a traffic study be requested from PennDot, for Miller Street, in the vicinity of the location of the Harnish development. Two issues were suggested for consideration: the first, the placement of a stop sign heading east on Miller Street, to reduce the incidence of accidents in the vicinity, and a review of the permits that had been approved by PennDot. Dorisann Haug suggested that the request include having no parking zones along Miller Street, in this vicinity. Chief Ham reported that the request for this would have to go to the State, as well, as they have jurisdiction. It was the consensus of Council that the request be submitted for PennDot's review.

LANCASTER AVENUE - ISETEA APPLICATION. Gene Osmun reported that he had reviewed the Lancaster Avenue, and South Jackson Street projects, with Rettew, and with the County Planning Commission, and it just doesn't appear feasible to fit this program in with the work proposed on these two streets. The ISETEA program, is for transportation enhancements, such as walking trails, overlooks, biking, and the like, and it doesn't appear possible this year. The possible turnback of Lancaster Avenue was discussed, and it was agreed we should contact Joe Schmidt, the PennDot Local Government Representative, to discuss this.

RECYCLING. The Council discussed recycling briefly, concerning the question of regionalization, and it was agreed that it would be valuable to discuss this with the Township. To that end, it was suggested that we contact the Township officials, and invite them to attend the February Meeting, to hear Tim Breneisen regarding the possibility of doing a cooperative recycling program.

1994-08

EXTENSION OF TIME - GOBERMAN DEVELOPMENT. Bill Crosswell and Pat Devry had jointly reviewed modified the extension of time form, and presented it for Council's review. Velma Lutz made the motion that we approve the request for the extension of time, which was offered by the developer, and seconded by John Penatzer, the motion carried 7-0.

FIRE COMPANY RECOGNITION ORDINANCE. The proposed ordinance drafted by Bill Crosswell had been reviewed by the Fire Company, and the Council. Len Ferber made the motion that the Ordinance providing official recognition of the Strasburg Fire Company as the agent providing fire services, be approved. Seconded by Velma Lutz, the motion carried 7-0.

PAYMENT OF THE BILLS. Len Ferber made the motion that the bills be paid as presented. Seconded by Velma Lutz, the motion carried 7-0.

LETTER FROM SLSA. A question was raised about the letter from SLSA's engineer, regarding the statement about sewer hookups. Bill Crosswell advised that this was a statement advising prospective sewer customers about the limitations regarding sewer capacity, that SLSA attaches to all permits.

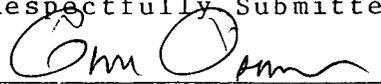
CITIZENS COMMENTS. Thomas Talbot, of 16 Fernwood Drive, was present and had submitted a letter to President Lindsay's attention regarding his desire to purchase a portion of the lands in the Mower Spring Area. After hearing the request, and discussing it, President Lindsay expressed the consensus of the Council that it would be most unlikely that the Council would ever entertain such a proposal - that the preservation of the watershed is of paramount concern. Dorisann Haug made the motion to deny the request, and seconded by Velma Lutz, the motion carried 7-0. Mr. Talbot then enquired if the Council would consider a lease of the ground in question. President Lindsay advised that it would be necessary for a thorough hydrological review of the area in question, as to the effects of such a proposal, before the Council would consider such a lease.

EXECUTIVE SESSION. At 9:05 P.M. President Lindsay advised that the Council would adjourn for an executive session for the purpose of a discussion regarding personnel matters.

PLANNING COMMISSION VACANCY. Reconvening the meeting at 9:35 P.M. John Penatzer made the motion that Mr. Ben Wenger be appointed to the position that is vacant on the Borough Planning Commission, for a four year term. Seconded by Dorisann Haug, the motion carried 7-0.

ADJOURNMENT. With no further business for discussion, John Penatzer made the motion that the meeting be adjourned at 9:37 P.M. Seconded by Susan Barnett, the motion carried 7-0.

Respectfully Submitted,


Gene Osmun, Secretary

1994-09

STRASBURG BOROUGH COUNCIL
Minutes of January 25, 1994

MEMBERS PRESENT: Lindsay Penatzer Haug Lutz
Ferber Barnett Coleman

OTHERS PRESENT: L. Gordon Walker, PennCapital Investors.
Paul Lundeen, Rhoads & Sinon
Clarence Droms
Suzanne Keene, Lancaster Newspapers
Paul Miller, Public Works Foreman
Lisa Boyd, Administrative Assistant
Bob Ham, Chief of Police

The meeting was called to order by President Carroll Lindsay followed by the salute to the flag.

Requests to be heard: None.

UNFINISHED BUSINESS:

AUTHORITY REFINANCING. President Carroll Lindsay introduced Gordon Walker, of Penn Capital Investors, who in turn introduced Paul Lundeen, of Rhoads & Sinon, an Harrisburg bond counseling firm. He then reviewed the quotes from local banks that he had received, as requested by Council. The quotes were as follows:

Bank of Lancaster County. Option # 1, maturity of year 2007, Interest rate of 3.79% for first 48 months, 4.68% next 48 months, 5.17% remaining term. Option # 2, maturity of year 2013, interest rate 3.79% first 48 months, 4.68% next 48 months, 5.17% next 48 months, 5.24% next 48 months, 5.31% remaining term. Semi annual payment, beginning June 1, 1994, no prepayment penalty.

Fulton Bank. Five year fixed annual interest rate of 3.74%, followed by floating annual rate of 75% of prime for remainder of ten year period, or 3.84% for five years, followed by 75% of prime, for remainder of 15 year term, or 3.87% for five years, followed by 75% of prime rate, for remainder of 20 year term. There is no prepayment penalty, but deposit relationship of at least \$140,000 is required.

Dauphin Deposit Bank. 4.5% per annum for five years, and 70% of Dauphin Deposit Base rate thereafter, fluctuating periodically, and adjusted by the Bank periodically, for period not to exceed nineteen years. Semiannual payments, with no prepayment penalty.

Mr. Walker indicated that the Bank of Lancaster County

1994-10

appears to have offered the best commitment. He described the discussions that had occurred with the Borough and the Bank with regard to resizing the issue, to include the municipal building debt. He also suggested that a possible scenario would be to do the Ordinance for the issue, in February, and the closing of the financing in March. One question to be answered was how much needed to be set aside in the capital reserve fund, for sewer improvements. He also outlined the proposed costs of the issuance, which totaled \$38,950 - \$26,000 for legal fees, \$7500 for his fee as consultant, the balance for miscellaneous charges. In response to concern raised about the cost, Bill Crosswell explained the considerable documents and decisions that were needed to conclude the transaction. Mr. Lundeen also explained his role in the financing and the reason for his fees, which included seeing that the proceedings are properly authorized, and to issue opinions for the Bank, and for federal and state income tax exemptions. He explained all of the work that goes into it, that if it goes smoothly, the costs could be less.

Gordon Walker described his fees- that he budgeted \$5000, with \$1500 if the other loan is included, and an additional \$1000 to complete a Self Liquidating Debt Statement. After some discussion, it was recommended by Bill Crosswell that we do the Self liquidating debt statement now, rather than later.

He described the amount needed to refund the authority debt, \$1,340,000, the two options of the Bank, and the options of doing one note, or two separate notes. The general obligation appears to be the preferred route to take.

Bill Crosswell described a scenario where the Authority would transfer all of the assets to the Borough, the Authority would continue, in place, with a lease agreement for \$1.00 per year for the operation of the system, and the Authority would continue acting as it has. Paul Lundeen recommended keeping the Authority, that it would be more costly to eliminate, and the Borough could have them manage the system, and do the capital improvements. The Authority would also be important in extending lines outside the limits of the Borough, as the Borough would be subject to the P.U.C. and the Authority would not. The Borough could keep the Authority in place, as well, for the future, to do other things.

Bill Crosswell advised that the Authority is a separate legal entity, the Council has the control over the appointments, and the control over what the documents would say.

Paul Lundeen mentioned that an Authority can operate

1994-11

anywhere in the State, without rate setting by the P.U.C. while the Borough would be subject to P.U.C. rate setting outside the Borough.

Gene Osmon mentioned the concern Gordon Walker had raised about a possible billing from the City, for a capital contribution in the near future. The City Public Works, or Buchart Horn Engineers would be the ones to contact for this information. Paul Lundeen said that the Borough could do the refinancing, if the Authority does not agree, and take back the assets. Bruce Ryder outlined the facts - that we would include the debt on the building, we would do a general obligation note through the Bank of Lancaster County, and encourage the Authority to transfer the assets of the Authority back to the Borough, and we would retain the Authority in place. After some discussion regarding the maintenance of the Authority, Paul Lundeen suggested that the financing is a separate issue from the disposition of the assets, that the financing could proceed separately, the the process of doing the general obligation bonds would take 4-5 weeks, and that the Borough could go down the road of doing this, while discussions with the Authority can go on. The Borrowing Ordinance can be done separately, with the two transactions taking parallel tracks.

President Lindsay suggested that we proceed, and Len Ferber made a motion that we proceed with Option B, for a 12 year payment period, providing \$14,000 per year in savings, that we refinance the building, that we meet with and negotiate with the Authority for a satisfactory resolution of the assets, that the building refinancing be according to the option outlined on pp. 14, of the Walker refunding report, which provides around \$5000 savings per year, and the the refinancing be done as a general obligation of the Borough. The motion was seconded by Velma Lutz. Under the question, the concern about the additional financing that might be required from the City in the near future, was discussed, and it was agreed to add \$25,000 to the sewer debt, to provide for it. Len Ferber amended his motion to include this, and Velma Lutz seconded it, with it carrying 7-0. On the question of the main motion, the roll call was unanimous, with all council members concurring.

Carroll Lindsay suggested that we try to schedule a joint meeting with the Authority for Wednesday, February 2nd, at 7:30 P.M.

Gordon Walker advised that a new commitment letter would be needed from the Bank, and suggested that the Borough Manager be given the Authority to sign it, for expediency.

APPOINTMENT OF BOND COUNSEL. Paul Lundeen, of Rhoads and

1994 12

Sinon, advised that under the Local Government Unit Debt Act, 3 days is required for advertising the Ordinance, and that he would prepare this for the next meeting. The fee quoted for the refinancing was \$26,000. Len Ferber made the motion to appoint Mr. Lundeen, of Rhodes & Sinon, as the bond counsel for the refinancing of the sewer authority bonds and the municipal building loan, with Gene Osmun, authorized to sign the bank commitment on behalf of the Borough. Seconded by Velma Lutz, the motion carried unanimously. On advise of Mr. Lundeen, it was agreed that a declaration of Council is needed to negotiate the terms of the note rather than offer the notes at public sale. On a motion by Len Ferber, and seconded by John Penatzer, the motion carried 6-0.

APPOINTMENT OF FINANCIAL CONSULTANT. Gordon Walker asked if the Council wanted him to continue his services and formally appoint Penn Capital Advisors, at a fee of \$7500, the fee to include the completion of the self-liquidating debt statement as required by Department of Community Affairs. On a motion by John Penatzer, and a second by Susan Barnett, the motion carried 6-0.

AMP AGREEMENT. Bill Crosswell described the document that was prepared for presentation to AMP, for the extension of time for pumping groundwater into the sewer system, in the cleanup program. After some discussion, it was agreed to send a cover letter along to explain that if an extension of the agreement would be necessary, that both parties could agree to do so in writing. The second agreement involving the terms involved in the conveyance of any lands formerly owned by AMP was also reviewed, and no concerns were raised.

STATE COOPERATIVE PURCHASING. A resolution had been presented for participation in the Pennsylvania Cooperative Purchasing Program, which is now run by the Pennsylvania League of Cities, for a fee of \$50.00, Velma Lutz made the motion to approve the resolution, and with a second by Susan Barnett, the motion carried 6-0.

APPRECIATION TO STRASBURG TOWNSHIP. Mayor Ryder said that he felt that a thank you should be given to the Public Works Department, and the other Borough employees who assisted, with the water leak problem last week. Also, he expressed the appreciation of the Council to Strasburg Township for the assistance they gave in cleaning up South Decatur Street. He also suggested that we look into an intermunicipal aid agreement at the Public Works level, to help resolve any liability issues in the future. This would formalize it and make it easier for both parties. It was agreed to send a letter of appreciation to the Township for their assistance.

1994-13

SKATING AT THE BOROUGH POND. Mayor Ryder enquired about the policy concerning skating at the Borough pond. The matter was discussed at some length. Bill Crosswell advised that the greatest liability would be to approve it, and the least liability would be to have a policy of no skating. The idea is that the more you encourage skating, the more the liability. The consensus reached was that no skating would be the stated policy.

ADJOURNMENT. With no further issues for attention, the meeting was adjourned at 9:35 P.M. by President Lindsey.

Submitted by

Gene Osmun, Secretary

A handwritten signature in cursive script, appearing to read "Gene Osmun", written in black ink.

Carroll Lindsay advised that the Authority provides the vehicle to carry the debt, and makes it possible that the debt is not counted in the Borough debt. The current agreements (with regard to sewer) preserve the Authority in place, and allow the Borough to operate the system.

Bob Myers said that he had no recollection of the water being involved in the Authority.

Carroll Lindsay said that the Ordinance establishing the Water Authority is missing from the Borough records, so we do not know what the Authority Ordinance said.

Harold Wiker thought that the Water Authority was probably formed to fund the reservoir and lines to the Borough.

It was the consensus that was the case, and that once the bonds were paid off, the Authority's business came to an end.

Bob Myers said that he would like to see the Authority continued, that it has worked well for 21 years.

Len Ferber said that the rates have been kept unbelievably low, that the Authority has done a great job.

All present were in agreement about the importance of the Authority, and the need to keep it in place.

Carroll Lindsay advised that he intends to recommend that the reserve funds for the water and sewer accounts be established by Ordinance at the next meeting.

He went on to outline what he believes to be the wishes of the Borough:

To make the arrangement, as in 1964, and replicate it as much as we can. Leave the Authority in place, to own the sewer and water system, with the Borough operating it as they do now. Council could go back to the Authority, to issue bonds, and have them help fix problems that may exist. Establish sewer and water reserves by Ordinance. Keep and maintain good systems, and to keep the P.U.C. out of our hair. With the Authority in place, the chances of winning any suits that might arise would be good. No one can require the P.U.C. to set rates as long as the Authority is in place. There appear to be enormous advantages in keeping the Authority in place.

Bruce Ryder recommended that we retain the Authority and structure the lease with flexibility to handle the tasks of the future, with regard to sewer and water. It makes a lot of sense, with efficiencies and flexibility to handle things as they arise.

Carroll Lindsay said that doing it as it was done in 1964 and in preserving the Authority prevents real and potential difficulties.

Len Ferber commended the attorney for the Authority, and the frugality of the Authority and the Council in the way the system has been operated in the past. He believes that we need to bring the "lease at will" problem to a close, and that we could do both at the same time.

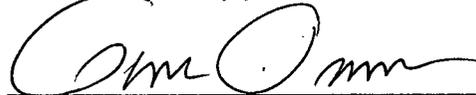
It was the consensus of all that the Authority makes it possible to operate outside the Borough without the permission of the P.U.C. The Borough alone operating the system is subject to the P.U.C.

Bob Myers suggested that the debt of the Authority be refinanced, and a continuation of the sewer and water authority be set up, in cooperation with the Council - that the Authority's role could be expanded. He also said that it would make sense to simplify the agreements. He also said that we are basically here to give our blessing to what the Borough wants to do.

Dan Sigman made the motion for the Authority, that they give their blessing to the Project, by supporting the refinancing of the debt, and support the continuation of the sewer and water authority, as described. Harold Wiker seconded the motion, with all Authority members in agreement.

It was agreed that there was no need for action on the water situation at this time. With no further discussion, President Lindsay accepted a motion from Len Ferber, to adjourn at 8:35 P.M. and with a second from Susan Barnett, the motion carried 5-0.

Submitted by,



Gene Osmun, Secretary

1994-17

STRASBURG BOROUGH COUNCIL
Minutes of February 8, 1994 - 7:30 p.m.

MEMBERS PRESENT: Lindsay Penatzer Haug
Lutz Coleman Barnett

OTHERS PRESENT: Bruce Ryder, Mayor
William Crosswell, Solicitor
Robert Ham, Police Chief
Paul Miller, Public Works Foreman
Mark Johnson, Rettew Assoc.
Gary Shirk
Bob Haug
Richard Mentzer
Doug Keene
Tim Breneisen
Glenn Stauffer
Brent Stauffer
Brad Weymer
Cindy Baker

The meeting was called to order by President Carroll Lindsay followed by the salute to the flag.

MINUTES: A motion was made by Dorisann Haug, seconded by Velma Lutz and passed unanimously to approve the minutes of the January 11th and 25th meetings as printed.

SOLICITOR'S REPORT

SLSA: The Solicitor reported he has received a letter from SLSA stating they are in the process of completing an Amended Lease Agreement which will provide for Average Daily Flow. SLSA will forward a draft copy to the Solicitor for his review.

CAPITAL RESERVE FUNDS RESOLUTION: The Solicitor reported that he has prepared a Resolution that establishes the new Water Reserve Fund and ratification of the existing Reserve Funds. This matter will be discussed further under New Business.

RECYCLING: The Solicitor reported that he has furnished the Borough Manager with copies of sample Recycling Ordinances. This matter will be discussed further under New Business.

HISTORIC STRASBURG: The Solicitor explained that in 1993 Historic Strasburg was granted an appeal for a reduction in their Real Estate tax assessment. Historic Strasburg is now filing another appeal requesting an additional reduction in their assessment.

A motion was made by Velma Lutz, seconded by Sue Barnett and passed unanimously to authorize the Solicitor to intervene and handle the appeal on behalf of the Borough.

BID RIGGING: The Solicitor reported that in 1988 or 1989 a suit was filed against a paving contractor for alleged fixing of pricing. The suit was awarded to the 45 municipalities involved and some funds have already been awarded. The Borough is still owed \$313.50. Mr. Crosswell stated there are no funds available.

A motion was made by John Penatzer, seconded by Velma Lutz and passed unanimously to release, in the amount of the Borough's share, the mortgage which has been placed against the contractor's property.

CAINS: The Solicitor reported that the Borough Authority's Solicitor, Harry Yost, has forwarded a copy of the new Easement Agreement for the Cain property to Mr. Crosswell for his review.

ENGINEER'S REPORT: None

PRESIDENT'S REPORT: None

BOROUGH MANAGER'S REPORT: The Borough Manager distributed and reviewed his written report.

FEBRUARY 22ND MEETING: Gene Osmun requested that at the February Workshop meeting that a discussion regarding the Municipal Building and Sidewalk Program needs to take place.

SUBURBAN CABLE: Gene Osmun reported that the Borough has received Cable Franchise fees for the last quarter of 1993 in the amount of \$3,752.10. The Borough has also received reimbursement of Legal Fees in the amount of \$3055.30.

TAX EXEMPTION: Gene Osmun reported that a total Real Estate tax exemption that was requested for the Borough Building has been granted beginning with the 1994 taxes.

RENTAL SPACE: Gene Osmun reported that the County Board of Elections could possibly be submitting a request for additional storage space for their voting machines. Mr. Osmun has also been notified of interest for space for a day care center.

PUBLIC WORKS REPORT: The Public Works written report for January was accepted without further comment.

POLICE REPORT: Chief Ham's written report for the month of January was accepted without further comment.

MAYOR'S REPORT:

BOY SCOUT TROOP #56: The Mayor welcomed and introduced Brent Stauffer and Brad Weymer of Boy Scout Troop #56. Both are working towards obtaining a merit badge for Communications. Attending this meeting will help them obtain the badge.

PARKING REQUEST: The Mayor reported that he has received a request from the Strasburg Senior Citizens for the use of the Borough parking area for approximately 22 cars for 11 days.

It was the consensus of Council to continue with past policy and to deny the request. The Mayor will report the decision to the Senior Citizens.

PROPOSED PLAN FOR THE INTERSECTION OF LANCASTER AVENUE/MILLER STREET/WEST MAIN STREET: The Mayor suggested that the plan proposed by PennDOT for the improvements to the intersection of Lancaster Avenue/Miller Street/W. Main Street could possibly be done with paint and temporary barricades to make sure the proposed traffic pattern and no parking along a portion of the southside of Miller Street, could be tested prior to completing the permanent project. The Borough Manager was requested to contact PennDOT and the Borough Engineer to check if this could be done.

UNFINISHED BUSINESS:

HARNISH TRACT: Mark Johnson of Rettew Associates, Engineer for Thomas Harnish, reviewed the Sketch Plan. Mr. Johnson stated that they have received approved PennDOT permits for the four driveways to be located along Miller Street.

A motion was made by John Penatzer, seconded by Velma Lutz to approve the Sketch Plan dated December 10, 1993, with the following conditions. The motion carried by a vote of 4-2. Members Penatzer, Lutz, Lindsay and Barnett cast affirmative votes. Members Haug and Coleman cast a dissenting votes.

1. As part of the development of the initial phase of the Harnish Tract, Coopersmith Lane shall be extended to Strasburg Township to connect with Lime Valley Road. The extended street shall have a right-of way width of 50 feet and cartway width of 34 feet and shall be provided with curbs. Financial security for the construction of these improvements shall be posted by the developer prior to final plan approval.

2. Storm water management facilities shall be designed, installed and maintained in accordance with all applicable laws and regulations to adequately control storm water.

3. Proper documentation and a Final Plan note, in a form acceptable to the Borough, shall be prepared to provide for the creation, improvement, use and maintenance of a pedestrian sidewalk easement from the terminus of the proposed cul-de-sac to Miller Street.

4. Borough Council shall not be required to approve the Final Plan until, in the sole discretion of the Borough, sufficient sewage capacity is legally available.

5. Shared driveways shall be provided along Miller Street so that there shall be not more than two points of access onto Miller Street.

6. Turn around areas shall be provided on such lots as the Borough deems necessary to allow vehicles to enter streets front end first.

7. Valid PennDOT highway occupancy permits shall exist for all points of access to Miller Street at the time of Final Plan approval.

8. Strasburg Township shall approve the design, construction and future maintenance of the portion of the street located in the Township.

9. The same restrictive covenants which were imposed upon the Chatham commons development shall be imposed upon the Harnish Tract.

10. No Bi-level dwellings shall be constructed on the Harnish Tract.

11. The approval of the Sketch Plan shall not relieve applicants from meeting any requirements applicable to Preliminary and Final Plan approval under applicable laws and regulations.

A motion was made by John Penatzer, seconded by Velma Lutz and passed unanimously to request PennDOT to complete a Multi-stop Study at the intersection of Miller Street, Village Road and Lime Valley Road. PennDOT will also be requested to reevaluate the four driveway permits that were issued.

A motion was made by John Penatzer, seconded by Carroll Lindsay and passed unanimously to request that a written agreement to accept the conditions outlined by Borough Council be received from the developers with 10 days of our notice.

NEW BUSINESS:

REFINANCING ORDINANCE: The proposed Ordinance has been advertised and posted as required.

The Mayor posed the question: Should the Borough borrow additional funds for the proposed water tower and for the repairs to the Borough building roof?

It was the consensus of Borough Council that we should not increase the dept of the Borough any further at this time.

A motion was made by John Penatzer, seconded by Velma Lutz to adopt the Refinancing Ordinance #1994-2. The votes were casted as follows:

Carroll Lindsay - yea	Velma Lutz - yea
Joseph Coleman - yea	John Penatzer - yea
Sue Barnett - yea	Len Ferber - absent
Dorisann Haug - abstained	

Dorisann Haug stated the reason for her abstention was that she did not fully understand the refinancing procedure.

RECYCLING: Tim Breneisen of the Lancaster County Solid Waste Authority discussed the recycling options available to the Borough. Mr. Breneisen stated that if we began soon, a program could be in place by July.

It was the consensus of Borough Council to appoint the following persons to the Recycling Committee:

Sue Barnett, Joseph Coleman
Sue Keene and Gene Osmun

CAPITAL RESERVE FUND RESOLUTION: A motion was made by Sue Barnett, seconded by Dorisann Haug and passed unanimously to ratify and confirm the Capital Reserve Fund Resolution, which was prepared by the Solicitor, and to request the Solicitor to prepare an Ordinance stating that funds can not be transferred unless done by an Ordinance.

PENNS VALLEY PUBLISHERS AGREEMENT: The Borough Manager has received an agreement from Penns Valley Publishers who we now employ for codification of our Ordinances.

It was the consensus of Borough Council that the agreement be executed.

FIRE COMPANY REQUEST: The Fire Company has requested permission from Borough Council to close Franklin Street on February 25th at 6 p.m. and all day on February 26th the day of the Annual Fire Company Sale.

It was the consensus of Borough Council to approve the request.

LAMPETER-STRASBURG LITTLE LEAGUE: Doug Keene, on behalf of the Little League, attended the meeting to explain that this program is just getting started this year. This is a non-profit organization and they are requesting a donation from the Borough to help purchase equipment and alleviate some of the other start-up expenses. Mr. Keene stated that once a budget has been prepared, he will forward a copy to the Borough.

A motion was made by John Penatzer, seconded by Velma Lutz and passed unanimously to give the Little League half the budgeted amount of the Youth Athletic Program which is \$250.00.

PREVENTATIVE MAINTENANCE AGREEMENT: The Borough Manager explained that he has received a Preventative Maintenance Agreement from Clark Associates, the current maintenance personnel for the Borough's heat pumps, which states they would check the systems two times a year for a cost of \$190.00 a year.

It was the consensus of Borough Council not to participate in this agreement. The Borough Manager is to look further at other options.

COUNTY BOARD OF ELECTIONS: The Borough Manager has received a requested from the County Board of Elections to use a portion of the Borough building for the 1994 Elections. The Borough Manager stated that since a Council meeting is scheduled for the same day as the Elections in November, the County Board of Elections will be requested to use the other front entrance and front area of the Borough building.

It was the consensus of Borough Council to approve the request.

POLICE UNIFORMS: Chief Ham requested permission to purchase new uniforms for the Police Department. Chief Ham stated that the uniforms were budgeted for in the 1994 Budget. The Chief also stated that the total cost of the uniforms may exceed the budgeted amount.

It was the consensus of Borough Council that the Chief proceed with the purchase.

SLSA SUB-COMMITTEE: As the Borough's representative on the Sub-committee, Mr. Ryder has been requested to verify the reasons why Borough Council selected the LASA Alternative. The following are the reasons listed by Borough Council:

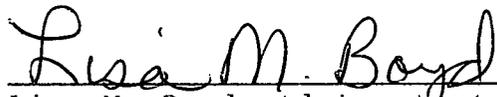
1. Minimize number of plant sites.
2. Land Conservation.
3. Limit adverse environmental impact.

PAYMENT OF BILLS: A motion was made by Dorisann Haug, seconded by Sue Barnett and passed unanimously to approve the list of bills as presented.

CITIZENS COMMENTS: None

The meeting was adjourned at 10:45 p.m.

Submitted by,



Lisa M. Boyd, Admin. Asst.

1994-24

STRASBURG BOROUGH COUNCIL
Minutes of February 22, 1994

MEMBERS PRESENT: Penatzer, Haug Lutz Ferber
Lindsay Coleman Barnett

OTHERS PRESENT: Clarence Droms
Robert Ham, Chief of Police
Paul Miller, Public Works Foreman
Paul Lundeen, Rhoades & Sinon

CALL TO ORDER AND SALUTE TO THE FLAG. The meeting was called to order by President Carroll Lindsay followed by the salute to the flag.

REQUESTS TO BE HEARD: None.

UNFINISHED BUSINESS

HAMPDEN DRIVE - Kevin Werner, of J. Haines Shertzer, Inc. had been expected to be present for the meeting to review the status of the street design; however, due to a personal unavoidable problem, was unable to attend. After some discussion on the matter, it was agreed to wait until the March 8th Meeting to address the issue.

REFINANCING - SUPPLEMENTAL AGREEMENT OF LEASE. Paul Lundeen, of Rhoades & Sinon, was present, having just attended the sewer authority meeting, and described the status of the refinancing.

He reviewed the resolution for the calling of the outstanding bonds, just approved by the Authority, and the proposed supplemental lease and the terms that had been suggested by Borough officials and the solicitor, regarding the audit, the escrow accounts needed under current agreements, and the role the Authority should play in rate setting outside the Borough. On Mr. Lundeen's recommendation, it was agreed to address the concerns regarding water rates at the earliest possible time, but at a date beyond the current refinancing.

HARNISH SEWER REQUEST - Gene Osmun advised that the letter from Mark Johnson, of Rettew Associates, for the Harnish Development, asking if the sewer planning module previously approved for the prior sketch plan, was valid for the current application, had been answered, after consultation with Bill Crosswell. The decision was that the module was not in effect, and a new one would be required.

1994-25

RECYCLING - Susan Barnett described the recent meeting of the recycling committee, and the presentation by Tim Breneisen of the Solid Waste Authority, of the literature they have available for review. The Committee had its first meeting, will review the material, and will meet again on February 24th, at 7:30 P.M.

MUNICIPAL BUILDING - Discussion on the municipal building was undertaken. Gene Osmun described the contacts made so far, and the costs involved with running the building. With the current refinancing, the situation is better financially, however, the need to get a tenant who can help the Borough share the costs is needed before next year, when the possibility of a tax increase may arise. He mentioned that he is confident we will get some interest in leasing the building, and wanted to be sure that we get a tenant that is consistent with our objectives. The Council provided a variety of suggestions, including further contact with the Post Office, Recreational Usage, that might occur as a result of the Recreation Study, Head Start, and I.U. # 13. Senator Spector's Office was also suggested as a contact for assistance in locating a federal tenant, such as the Post Office. After considerable discussion, it was agreed to continue with the efforts, as previously, to locate a tenant that would be an asset to the Borough.

SOUTH JACKSON STREET. Gene Osmun brought up the subject of improvements on South Jackson Street, the fact that we have money budgeted to do the work, and the need for a decision as to whether to proceed. The discussion concluded with consensus to proceed with the Project, and to send letters of notification to the property owners. A public meeting the affected property owners may be necessary in the near future. A letter is also to be sent to the Township, to see if they will assist in the completion of the section of property that adjoins the street from the Township.

NEW BUSINESS

SALE OF SPREADER. A Western spreader purchased some years ago has been declared excess by the Public Works Department, and they are requesting authorization to advertise it for sale to the highest bidder. Bids would be received at the next Council Meeting, on March 8th, 1994. Susan Barnett made the motion to advertise the spreader for sale. Seconded by Len Ferber, the motion carried 7-0.

1994-26

FOR DISCUSSION - SNOW REMOVAL - SNOW EMERGENCY ROUTES.
The mayor had asked consideration of the revision of the SNOW EMERGENCY ORDINANCE, as it does not mention any specific streets as the specific routes. Gene Osmun presented East Main Street, West Main Street, North and South Decatur Street, Miller Street and Lancaster Avenue as the ones suggested by the Chief of Police, and the Public Works Foreman, as the most appropriate ones for designation. After discussion, it was agreed to designate the streets mentioned, have phase one, for snow emergency routes as designated, and phase two, for all Borough streets, insert a section referring to the removal of vehicles, as described in Section 501, per the vehicle code, amend the section regarding tires to include all weather tires. Cost of the signs and proper placement will be determined. Len Ferber made the motion to authorize the changes as described. Seconded by John Penatzer, the motion carried 7-0.

SNOW REMOVAL ON SIDEWALKS. Discussion ensued regarding the necessity and the steps for getting people to clean their sidewalks. The procedure currently is to follow up on complaints when they are filed. It was agreed to put reminders in the newspaper for residents to clean their sidewalks, and make an effort to comply with the Ordinance.

ADJOURNMENT. With no further matters for discussion, the meeting was adjourned by President Lindsay at 9:35 P.M.

Submitted by,



Gene Osmun, Secretary

1994-27

STRASBURG BOROUGH COUNCIL
Minutes of March 8, 1994

MEMBERS PRESENT: Penatzer Haug Lindsay Barnett
 Lutz Coleman Ferber

OTHERS PRESENT: Bruce Ryder, Mayor
 Paul Miller, Jr., Public Works Foreman
 Lisa Boyd, Administrative Assistant
 Robert Ham, Chief of Police
 Suzanne Keene, Lancaster Newspapers
 Ray Miller, HRG Engineers
 Jerry Dunkle, Strasburg
 Clarence Droms, Strasburg

CALL TO ORDER AND SALUTE TO THE FLAG: The meeting was called to order by President Carroll Lindsay followed by the salute to the flag.

REQUESTS TO BE HEARD: There were no requests to be heard from the audience.

MINUTES OF THE SPECIAL MEETING ON FEBRUARY 2ND, 1994, REGULAR MEETING, ON FEBRUARY 8TH, 1994, AND SPECIAL MEETING, ON FEBRUARY 22ND, 1994. Velma Lutz made the motion to approve the minutes of the foregoing meetings, as presented, and without correction. Seconded by Susan Barnett, the motion carried unanimously.

SOLICITOR'S REPORT. Attorney Bill Crosswell reviewed his work of the previous month, which included the review of the Harnish application, and the request for sewer capacity, which they were advised required a new request. He submitted a request to the Court, for an intervention in the assessment appeal of Strasburg Inn, had reviewed the suggested changes involved in the Snow Emergency Route, and put it in Ordinance Form, and reviewed a disability concern that had been raised.

ENGINEER'S REPORT. Ray Miller, of HRG was present, and reviewed his activities for the Borough, which included meeting with Paul and Gene, and a member of Ray's staff, Bob Snyder, to inspect the Borough water and sewer facilities. They have made suggestions for work on Pump Station # 5, and expected to have bids returned for the work on March 16th.

MAYOR'S REPORT. Mayor Bruce Ryder advised that rather than as previously planned, he didn't see the need to modify the Burning Ordinance, after discussing the matter with Bill (Crosswell), and that the adoption of a simple resolution permitting the Scouts to have campfires and cooking fires on

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the Borough property would suffice for their needs. After some discussion regarding whether to require a special events permit, President Lindsay suggested that the Borough Manager issue the special events permits, with the discretion to approve or disapprove them on the Borough property, as he sees fit. The motion was disapproved by a vote of four to three, and John Penatzer then made the motion that the Council adopt a resolution permitting the Boy Scouts to conduct campfires on Borough property, receiving permission as special events, with the Chief of Police, and the Fire Chief authorized to give the O.K. Seconded by Susan Barnett, the motion carried 7-0.

OTHER REPORTS.

MANAGER. Gene Osmun said that a written report was submitted, and that the first item involved information on Code Enforcement as requested. He met with Bill Wentling of Code Services, of Willow Street, and they had discussed the various aspects of setting up a program, and utilizing their services. He passed out to all Councilmen, and the Mayor, a package of information that Mr. Wentling had provided. After discussion, President Lindsay asked for Council volunteers, to look into the matter further. Dorisann Haug, and Velma Lutz both agreed to meet with the Fire Chief and the Borough Manager, to discuss the various aspects of code implementation and enforcement.

PUBLIC WORKS. Paul Miller had submitted a written report. The Council noted that the Street Sweeping is scheduled for March 21st.

POLICE REPORT. Chief Ham reported that crime was down for the past month, but complaints were up, due to the weather problems. He advised that the Amish Marathon Run is scheduled for March 27th, which is Palm Sunday, for the benefit of the American Cancer Society, and that traditionally there has been some traffic inconvenience.

UNFINISHED BUSINESS.

SEWER AUTHORITY REFINANCING RESOLUTION. The Council had previously received a copy of the proposed resolution authorizing the refinancing of the 1973 Sewer Authority Bonds, which was previously approved by the Sewer Authority. The motion was made to approve the Resolution for the Refinancing by Len Ferber. Seconded by John Penatzer, the motion carried 7-0. Joe Coleman raised the question regarding the escrow account at the Bank that is maintained

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in order to make payments to reserve capacity, utilizing the interest, and wondered what the maturity date would be. Further discussion regarding the SLSA payments, and the original indebtedness resulted in the consensus of having Bill Crosswell look into the matter further, to clarify exactly what is being paid, and what agreements will still be in force.

HAMPDEN DRIVE - DISCUSSION. Gene Osmun updated the Council on the status of the design work on Hampden Drive, advising that Kevin Werner had been unable to come to the meeting. The design was discussed with the staff, some suggestions were made to him, and a meeting was set up for next Monday to go over it.

ADOPTION OF AN ORDINANCE ESTABLISHING CAPITAL RESERVE FUNDS. Len Ferber made the motion to adopt the Ordinance. The Ordinance was originally drafted by Bill Crosswell, as a resolution, subsequently drawn into an ordinance, and advertised. Seconded by Velma Lutz, the motion carried 7-0.

ORDINANCE AMENDMENT - SNOW EMERGENCY ROUTES - AUTHORIZATION TO ADVERTISE. A copy of the changes that had been discussed and previously proposed had been distributed. Bill Crosswell advised he had reviewed it, and put it in ordinance form, for advertising. John Penatzer made the motion to authorize the solicitor to advertise the proposed modifications to the Snow Emergency Ordinance, as presented. Seconded by Doris Haug, the motion carried 7-0.

NEW BUSINESS.

SALT SPREADER BIDS. The stainless steel Western salt spreader that had been declared "excess" had been advertised for sale, and the following bids were opened by President Lindsay:

1. Lancaster Vo Tech	\$401.00
2. Gerald Anzulis	37.87
3. Clair Denlinger	425.00
4. Pete Kingsley	450.00
5. Herr	201.52
6. L-S School Dist.	197.55
7. Calvary Home	201.00

John Penatzer made the motion to approve the sale of the spreader to Pete Kingsley, as the highest bidder. Seconded by Velma Lutz, the motion carried 7-0.

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BOROUGH CODE ENFORCEMENT. This matter was discussed earlier in the meeting.

RESOLUTION TO APPLY FOR COUNTY LATS FUNDING - LANCASTER AVENUE.

Gene Osmun advised that he would like a resolution authorizing the resubmission of the LATS application to the County for possible funding in 1995, to do the proposed work on Lancaster Avenue. Velma Lutz made the motion to authorize and approve the resolution as presented. Seconded by John Penatzer, the motion carried 7-0.

OTHER BUSINESS.

REGIONAL COMPREHENSIVE PLAN. John Penatzer described the status of the regional comprehensive plan, and advised of the need to establish a date for the presentation by the consultant, John Hohman. After discussion about the issues involved, it was agreed to have a meeting of the Council, the Planning Commission, and the Consultant on March 22nd, with it being the only item on the agenda for discussion. with an alternate date of April 4th, which is the night for the Planning Commission's normal meeting.

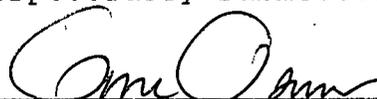
PROCLAMATION FOR SAFE COMMUNITIES AND SCHOOLS. The County Commissioners had submitted a proclamation asking all communities in the County to recognize April 14-20 as "Safe Communities and Schools Week". President Lindsay advised this could be done officially by the Mayor, and referred it to Mayor Ryder for his consideration.

APPROVAL OF THE BILLS. The Council had received copies of the current bills list, and Dorisann Haug made the motion that the bills be paid, as itemized. Seconded by Susan Barnett, the motion carried 7-0.

CITIZENS COMMENTS. A gentleman in the audience complimented the Borough road department on the good job that was done during the winter on snow removal.

ADJOURNMENT. With no further business, President Lindsay declared the meeting adjourned at 9:04 P.M.

Respectfully submitted,


Gene Osmun, Secretary

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STRASBURG BOROUGH COUNCIL
Minutes of March 22, 1994 - 7:30 p.m.

MEMBERS PRESENT: Lindsay Penatzer Haug
Lutz Coleman Barnett

OTHERS PRESENT: Bruce Ryder, Mayor
Gene Osmun, Borough Manager
Bob Ham, Police Chief
John Hohman, Gehringer-Roth Assoc.
John Pratt, Planning Commission Member
Ellis Bachman, Planning Commission & Jt.
Comprehensive Plan Member
Ben Wenger, Planning Commission Member
Henry Miller, Jt. Comprehensive Plan Member
Bob Haug, Jr. Comprehensive Plan Member
Clarence Droms
Donald Bachman
Ray Miller, HRG
Suzanne Keene, Lancaster Newspapers

The meeting was called to order by President Carroll Lindsay followed by the salute to the flag.

JOINT COMPREHENSIVE PLAN:

President Carroll Lindsay began the meeting by questioning whether the Joint Comprehensive Plan Committee, as it is formed at this time, has legal standing to prepare the Joint Comprehensive Plan. As was outlined by Ordinance # 1993-3 a Joint Planning Commission was to be established, and this has not been done.

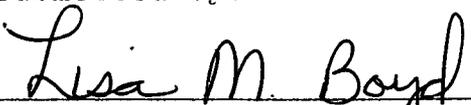
It was the consensus of Borough Council and the Planning Commission to have the Joint Comprehensive Plan Committee reconvene at their next meeting, to establish the Joint Planning Commission and to appoint a Chairman.

After a lengthy, thorough review, by John Hohman of Gehringer Roth of the entire Draft Joint Comprehensive Plan, the following are items the Borough Council and Planning Commission members felt needed to be added or needed further review and evaluation:

1. The Borough's recycling program needs to be added.
2. A Fiscal Impact Analysis needs to be completed.
3. Population Projections need further review. (Person per household figure)
4. Urban Growth Boundaries need further evaluation.
5. A review of Edisonville Road possibly being used as by-pass alternative.

A meeting was adjourned at 10:10 p.m.

Submitted by:



Lisa M. Boyd, Admin. Asst.

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STRASBURG BOROUGH COUNCIL
Minutes of April 12, 1994

MEMBERS PRESENT: Lindsay Penatzer Haug Lutz
Ferber Barnett Coleman

OTHERS PRESENT: Bruce Ryder, Mayor
Paul Miller, Public Works Foreman
John Presto
Suzanne Keene, Lancaster Newspapers
Gail Knauer, Strasburg Weekly News
H. Dale Kaufman
Larry Wixson
Terry and Deb Harnish

CALL TO ORDER AND SALUTE TO THE FLAG: The meeting was called to order by President Carroll. Lindsay followed by the salute to the flag.

REQUESTS TO BE HEARD: Larry Wixson, of Douglas Heights, expressed his concern about the zoning ordinance's requirement for setbacks. A neighbor is building a deck at 5 feet, and he believes it is too close, and would ask the Borough to reconsider it. President Lindsay said he could well appreciate it, and believed the Borough would be glad to consider it.

Terry Harnish described the problem he was running into with regard to building a house. He had received a permit on May 25th, 1993, and came in, and now he has to go by the new guidelines. President Lindsay asked if he had gone to the Zoning Board, stating this may be the course to follow. Mr. Harnish said he had not. Bill Crosswell reviewed the steps taken when the ordinance had been adopted, and the pending ordinance rule had been invoked. H. Dale Kaufman was present and stated the case for placing the home at more than ten feet, that other properties are set back, and it was not his understanding that ten feet was to be an exact build to line. After extensive discussion regarding the build to rule, and the use of the adjacent driveway, it was the consensus that the build to line be determined to be the edge of the porch, and that the permit should be reissued under the current ordinance. The interpretation of the build to line would be in accord with the new ordinance, and that the zoning officer should review the application for compliance, and a new permit issued.

MINUTES OF THE MARCH 8TH, MEETING. A motion was made by Susan Barnett, and seconded by Dorisann Haug, that the minutes be approved as presented. It carried unanimously.

SOLICITOR'S REPORT. Bill Crosswell reviewed the completion of the financing of the general obligation notes for the sewer system debt, and the building, advising it is essentially complete. He also reviewed his efforts at determining the situation with the outstanding obligations with SLSA, and advised he is continuing with this. The status of the Kenwar Building had been described in a memo, and needed no explanation. He updated the Board on the status of Historic Strasburg's tax appeal, the Cain sewer situation, and the snow emergency ordinance, which has been completed, and is on the agenda. He had written letters for the Borough Pension Audit, outlined the situation with AMP, regarding their stopping their pumping, and the agreement with DER to test, and proceed with their closure plan. He also said that his firm had reviewed the lease of the Borough properties, for consideration in the near future. There was some discussion regarding the costs involved with drawing up the leases, and Bill will check on the costs for comparison in evaluating the consideration of the rents.

MAYOR'S REPORT. Mayor Ryder had one item for presentation - the Annual Fishing Derby is to be held on May 7th, from 9:00 A.M. to 11:00 A.M., and all were in agreement in proceeding with it.

ENGINEER'S REPORT. Ray Miller, of HRG, outlined the progress to date in evaluating controls for Pump Station 5, and that prices had been obtained from two firms, at \$3984, and \$3995. After reviewing the options, Council awarded the lower bid of \$3984, to the Kappe firm, of Frederick, Maryland, on a motion by Velma Lutz, and a second by John Penatzer, with no objecting parties. Ray also reviewed the issues that Bob Snyder, of the HRG firm had presented previously, in a memo, describing the DER requirements that are coming. These would require extensive testing of all of our water sources, to determine any surface water impacts, and if any contamination is occurring that would be a problem. This will be a requirement, and preparation will be necessary, to demonstrate the Borough's willingness to implement the protocols.

PRESIDENT'S REPORT. President Lindsay reported that he had a call from the local media regarding our upcoming meeting on solid waste recycling, on April 26th, and the issues and concerns to be presented at that time by Tim Breneisen and the Solid Waste Committee. All residents have been urged to attend.

MANAGER'S REPORT. Gene Osmon said that his written report had been provided. There were no questions.

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PUBLIC WORK'S REPORT. Paul Miller, the Public Works Foreman had presented a written report.

POLICE REPORT. Chief Ham reviewed his written report. He described a theft that had occurred over the weekend, and advised that his new uniforms are expected in April or May, with new vests as well.

UNFINISHED BUSINESS.

Dorisann Haug complimented the Public Works Department on the good job that was done on cleaning the streets. John Penatzer inquired about the status of the sinkholes in the Borough property. They are located on the lot toward Lancaster Avenue, and currently are enclosed by fence.

SNOW EMERGENCY ORDINANCE. Velma Lutz made the motion for its official enactment. Seconded by Len Ferber, the motion carried 7-0.

REVIEW OF THE PROPOSED SOLID WASTE PLAN AND PRESS RELEASE, AND SETTING A HEARING DATE. All members had received a copy of the proposed plan, and discussion ensued about the details involved. The items of leaf pickup, and christmas trees were discussed, and the quantity for pickup. The duration of the contract is projected to be 3 years. Len Ferber suggested we consider the use of wheeled containers for pickup, as it is a very efficient way to do it. It was agreed to include this as an option in the specifications. The press release was reviewed and it was suggested that it be mentioned that a variety of ways have been looked at by the Committee, and data is readily available from other communities on how it can be done, to show that the cost will be less. The billing was discussed, and it was suggested we get more information for the Hearing, on how we will handle it. The consensus was to approve the Draft Plan, and to set the hearing date for April 26th, at 7:00 P.M.

NEW BUSINESS:

RESOLUTION AUTHORIZING WAIVING OFFICER CONTRIBUTIONS TO THE POLICE PENSION FUND FOR 1993. Gene Osmun described the proposed resolution as being properly authorized by the recent actuary report from MMC&P. The Pension Auditor, who is currently reviewing the Pension Plans, has suggested this be done. John Penatzer made the motion the contributions be waived for 1993. Seconded by Velma Lutz, the motion carried 7-0.

RESOLUTION NAMING ADMINISTRATIVE OFFICER FOR THE PENSION FUNDS.

Gene Osmun described the need to officially name an individual as the official officer to sign pension documents. This was recommended by the auditor. John Penatzer made the motion to name Gene Osmun as the Administrative Officer of the Pension Funds. Seconded by Sue Barnett, the motion carried 7-0.

PENSION COMMITTEE. The establishing of this Committee was discussed briefly, as it is named in the Pension Ordinances, as being necessary for the proper administration of the Funds. The conclusion was that this could be done at the reorganization meeting of Council, on an annual basis.

APPOINTMENT OF CHRISTINE BOWERS TO PERMANENT STATUS AS

CLERK/SECRETARY. Gene Osmun advised the Council that after conducting a review with the Chief of Police, and with the probationary period completed, they were recommending Christine Bowers to the Council for appointment, without reservation, to permanent status. The motion was made to accept the recommendation by Velma Lutz, and seconded by John Penatzer. The motion carried 7-0.

APPLICATION FOR PLANNING ASSISTANCE GRANT PROGRAM. Gene Osmun described the application that had been received, and it is proposed to complete the applications jointly with the Township, for submission for the Comprehensive Plan. Also, a second application would be submitted, for alternative consideration, for the completion of our subdivision ordinance, if the first application is not accepted. The motion to authorize the submission was made by Len Ferber, and seconded by John Penatzer. The motion carried unanimously.

APPOINTMENT OF GENE OSMUN TO PERMANENT STATUS AS BOROUGH MANAGER.

President Lindsay advised that he had conducted a review with the Mayor, and were recommending Gene Osmun be appointed to permanent status as Borough Manager. John Penatzer made the motion to accept the recommendation. Seconded by Len Ferber, the motion carried 7-0.

896 TRANSPORTATION STUDY - ADDITIONAL WORK. Gene Osmun briefly described the proposal for doing an additional amount of engineering work to conclude the 896 Study, that questions remained unanswered at the recent Study presentation to the elected officials. Mayor Ryder detailed further the need to evaluate the delays associated with the build - no build alternatives. After some discussion, it was suggested that the Committee should evaluate the need for the additional work, and the motion was made by Susan Barnett that the Council proceed with the additional work, with the recommendation of the Committee. Seconded by Velma Lutz, the motion carried 7-0.

ADA. John Penatzer brought a point of information to the Council's attention, that ADA will have some important impacts for the Borough's attention, including the need to post our public notices advising that accommodation for a disabled person can be provided. It was agreed this will be looked at further, and on the "to do" list of the Borough.

SEWER UPDATE. Mayor Ryder reviewed the status of the sewer issues, and who would do the Act 537 Planning. LASA is at the point of doing a feasibility study for plant expansion, and to consider a SLSA connection, taking possibly 6-9 months. Mayor Ryder asked the Council for permission for Bill Crosswell to attend the upcoming SLSA-Joint Committee Meeting, and it was agreed that Bill should be able to attend, to allow the Borough to be adequately prepared. The Mayor advised that Authorities under the legislation have the power to build and operate facilities, and the Borough, under the law, has the authority to plan the sewer systems. Planning is an issue, that under Act 537, falls on municipalities to bear - to look at issues other than costs.

Ray Miller described the situation regarding our current sewer moratorium, and the approaches that might be considered with regard to the problem of getting SLSA to make some kind of movement or commitment. One possibility might be to get Gene and Ray, to get together and do a sewer planning module submission, and submit it in a way to guarantee capacity and flows. With East and West Lampeter having extra capacity, perhaps a way could be found to leverage, or access some of that.

BILLS. Dorisann Haug made the motion that we pay the bills, as presented. A question was raised as to the meaning of the voucher name on the list. Seconded by Len Ferber, the motion carried 7-0.

ADJOURNMENT. With no further matters for attention, the meeting was adjourned at 9:58 P.M.

Respectfully submitted,



Gene Osmun, Secretary

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STRASBURG BOROUGH COUNCIL
Minutes of April 26, 1994 - 7:30 pm

MEMBERS PRESENT: Lindsay Haug Penatzer Barnett Coleman
Lutz

OTHERS PRESENT: Bruce Ryder, Mayor
Robert Ham, Chief of Police
Paul Miller, Public Works Foreman
Brian Franco, BFI Corp.
W.K. Anderson
Terry Harnish
Larry Wixson
Bill & Sandy Brotzman
Walter R. Pine
Richard Shraffer
Lloyd Althouse
Roy K. Harnish
R. G. Johnson
Suzanne Keene
Nancy McGuigan
Holly Miller
Jeanette Grissinger
Nancy McCall
Clarence W. Ressler
Clarence R. Droms
Charles Fleming
Dottie Howell, BFI
John Sigman
Dan Sigman
Don Bachman

The meeting was called to order by President Carroll Lindsay followed by the salute to the flag.

Requests to be heard: None.

PUBLIC HEARING ON THE SOLID WASTE MANAGEMENT PLAN. President Lindsay opened the Public Hearing on the Proposed Solid Waste Management Plan by introducing Tim Breneisen, of the Lancaster County Solid Waste Authority. Tim described the purpose and the work of the Authority, his job as recycling manager, and the 30 curbside programs that have been set up, representing 70% of the population. Strasburg and 4 other communities are proposed to be included in the County Program this year. He described the two ways to do it - either by private subscription or by one hauler, generally through a competitive bid situation, that the main issue is the cost, that the Committee has looked into these issues, and made some conclusions. They have concluded that a single hauler is desirable, with a curbside recycling collection program set up, with bins distributed by LCSWA, four days in the fall for leaf

collection, and a collection day for the pickup of white goods and appliances. The collection of 9 materials in the recycling should reduce the materials thrown away in the area.

The program is to be set up by Ordinance, with the Borough publically bidding for a combined waste and recycling package.

There is a financial incentive to recycle, with each household producing 8 to 10 tons of refuse per year. Each property would have a 2-3 bag limit, with tags to be purchased for extra quantities. Current tipping fees are \$69 per ton at the Landfill. The entire program is a pay as you go program.

There are two key advantages to the program: one, with a single hauler there is the efficiency of collection, with less time between stops. The other advantage is that with the Borough paying the tipping fee, the Borough pays the fair share, and the risk is absorbed by the municipality, not the hauler. The Borough will be billing for waste disposal, like water and sewer, and quarterly as it is now. Everything will be funded through the price. Eighteen municipalities have a pure contract now. All are financially sound. Residents are paying for the service they get. Multiresidential dwellings of four or more, get a dumpster. Businesses generate recycleables, and it is important to encourage them to recycle. Many businesses do high grade office paper and cardboard. A number of questions were raised by members of the audience.

Pete Fleming raised the question of whether bags or cans were to be used. He also raised the question about whether those not living here the entire year would have to pay for the whole year.

Another single gentlemen asked if someone who lives alone and generated almost no garbage, must pay also, saying he didn't think it would be right. One lady asked if the leaf collection would be extra. Tim explained it would be included in one yearly fee. The issue of burning was discussed, and Tim said they try to discourage it, as everything that can be burned will contribute to the waste to energy plant. Burning is not dealt with in this program. Mayor Ryder advised that the current burning ordinance restricts what you can burn now, and garbage burning is not legal. John Penatzer described the disposal of leaves, saying that the program provides for this, and would provide a way to deal with them. In response to the question,

Tim Breneisen said that household hazardous waste can be taken to the transfer station for disposition now, that it would not be part of the program we are discussing. The question of collecting refuse by the bag was addressed, and Tim said that Elizabethtown Borough currently does it, at \$2.40 per bag, but that overall it doesn't work out to be as cheap as it sounds.

The question of the number of bags or containers was raised, and Tim advised that a two bag limit would not be appreciably cheaper, due to the basic costs involved. Terry Harnish said that going to one hauler a year would work to keep the little guy out. Tim Breneisen said that BFI has already bought up a number of smaller companies. Pete Fleming asked if there would be performance

standards required of the haulers. John Penatzer addressed the issues, saying that it can be evaluated in the contract, which would be a three year one, and the low bidder could be required to be responsible and responsive. Pete Fleming asked if automatic pickup had been considered. Tim Breneisen advised it had been suggested, that Waste Management is currently doing a subscription service now that provides it. Brian Franco, of BFI advised they do one in West Bradford Township that involves one man on the truck, which is lighter, and easier on the roads. He said that it costs about \$1.00 per month for the toter, that it can be built into the bid specifications, and every resident would be provided with a cart. The toters are 90 gallons, very convenient, very neat, and have some style about them. Terry Harnish said he thought the West Lampeter system was the fairest. Sue Barnett addressed the unsightliness of the trash on the streets at all different days and hours. She suggested we make it simple, that we have a recycling, environmentally sound program, and simplify it for everybody. Larry Wixson asked what impact it would have on the Borough administration, and the additional work that might be required. He also asked whether they can pickup at any time, day or night? Tim advised that any reasonable hours could be arranged, say from 5:00 A.M. until 7:00 pm. Other stipulations in the contract would be a 50% performance bond, and an escalator clause, in the event of unforeseen increases in costs, such as fuels, etc. The issues of billing was discussed, and Tim Breneisen said that bills could be paid by the year or every 6 months, but normally would be billed quarterly, normally, however we wanted to set it up. He also advised that once we agree to proceed with it, notices to the other haulers to not pick up past October first, would be needed to prevent duplication of collection.

With no further discussion, President Lindsay thanked everyone for attending, and closed the Public Hearing.

UNFINISHED BUSINESS.

BOROUGH PROPERTY - LEASE. The annual lease of the Borough land to the west of the municipal building had been reviewed, and the documents prepared. Velma Lutz made the motion that we proceed with transacting the lease of the municipal ground to Mr. Book, for farming purposes, and the remaining one acre previously agreed, be divided off for the use of the J.C. Park. Seconded by Doris Ann Haug, the motion carried 6-0.

EXTENSION OF SOUTH JACKSON STREET TO BOROUGH LINE. The possible extension of the South Jackson Street curb and sidewalk project was discussed. Gene Osmun advised that he had discussed this with the engineers, and it would be feasible to do it, if the Council so desired. Velma Lutz said that she had a problem with asking the people along this section

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of the street to put sidewalks and curbing in this year. It was agreed to bring this subject up in the next work session for further discussion. It was further agreed to have a public meeting of the residents on May 10th, 1994, at 7:00 pm and set the time aside specifically for this discussion. It was further agreed to talk to the Township about the portion along the street that is in the Township, and to write to them, invite them to attend, to determine their interest in the project.

MUNICIPAL BUILDING - ZONING AND USES. President Lindsay advised that there are a number of zoning issues outstanding, that have been discussed with Harry Roth and who has agreed to attend a meeting. Various dates were discussed, and the possible attendance of the Planning Commission. The meeting was tentatively set for May 24th, 1994, at 7:00 pm, with time specifically set aside for zoning issues.

OTHER BUSINESS.

RESIGNATION OF CROSSING GUARD. Chief Ham advised that Mrs. Rice was resigning at the end of the school year. She does a very fine job, involving a lot of hours, nasty weather, and fast traffic. Velma Lutz made the motion that we accept her resignation with regret, and that we send her a token of our appreciation. Seconded by Susan Barnett, the motion carried 6-0. It was further agreed that we should get her a plaque, as an expression of appreciation, that states the number of years of service.

JOINT RECREATION PLAN. John Penatzer reported that the Recreation Plan Study Group had met, and concluded their work on the draft document. This will be forwarded to the Borough Secretary for distribution. A Joint Meeting of the representatives from the three municipalities is scheduled at the Martin Mylin Library, on May 31st, which is the fifth Tuesday in May, at 7:00 pm.

CITIZEN COMMENT. None.

EXECUTIVE SESSION. President Lindsay announced that there would be an executive session for the discussion of personnel and real estate matters, at 9:20 pm.

ADJOURNMENT. President Lindsay reconvened the meeting at 9:45 pm and with no further matters for discussion, the meeting was adjourned.

Respectfully submitted,



Gene Osmon, Borough Secretary

1994-41
Minutes of May 10, 1994

MEMBERS PRESENT: Lindsay Haug Lutz Ferber
Penatzer Coleman

OTHERS PRESENT: Bruce Ryder, Mayor
E. Joan Miller
Dolores Richard
Jim & Joanne Johnson
Charles Book
Dorothy Raub
Roy Zimmerman
John Raub
Gerald Hoffard
Mary Zimmerman
Clarence Droms
Allen Shenk
Don Powell
Doug Keene
Michael Sollenburger
Rita Good
Chet Lutz
John Yost
Mr. & Mrs. Mike Groff
Lisa Boyd, Strasburg Borough
Alan Goberman
David Boland
G.P. Devery, GPD Engineering
M.R. Myers, Borough Authority
Harold Wiker, Borough Authority
R.N. Mitchell
Gary Shirk, Century 21
Jeff Rutt, Century 21
Jim Foreman
Donald Bachman
Terry Harnish
David Penman
Suzanne Keene, Lancaster Newspapers

MEETING WITH SOUTH JACKSON STREET PROPERTY OWNERS

President Lindsay opened the meeting by describing his review of the minutes and records going back to 1969, when the first plans were presented for the reconstruction of South Jackson Street. From the minutes, it was indicated that the right of way for South Jackson Street in 1884 was 50 feet. In 1969 it was established to be 43 feet wide. Late in the 18th century it was the tendency for people to build buildings at intersections, and not too far apart.

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Gene Osmun described the work of the Borough in endeavoring to put a plan together to accomplish this project, the current status of the sidewalk program, and introduced Bob Lynn, of Rettew Engineers, who was present for the review. Mr. Lynn described his plans, and the drainage improvements proposed, and the steps taken to try to resolve the questions raised about the width, and the location of the walk along the park. He described the drainage that was added, that it will be one way from Main Street to Funk Street, two way from there on, and the width from Funk Street south will be 31 and a half feet wide.

Jack Miller, of 110 South Jackson Street, said that the steps from his porch to the street will be a problem. Mr. Lynn said if the road is widened there, it would be up to the porch, that 28 feet is the minimum width PennDot will accept for two way streets, but 24 is O.K. for one-way, but substandard for two way. The proposed width was suggested to avoid the problem with the roots of the trees. The Millers and Mrs. Zimmerman were particularly concerned about the costs involved with doing the project. Mr. Zimmerman asked about the 33 feet right of way, and why at Clayton Winters' property, the street has a width of 24 feet. Mrs. Raub asked is everyone is going to be required to have a sidewalk.

Bruce Ryder reviewed the old schedule that had been proposed, and it was his opinion that this may need some revision. An ordinance had been adopted at the outset. Mrs. Raub wondered what would happen if someone cannot do it financially. Mayor Ryder said in that case, the parties can come to the Council and request relief. Mrs. Zimmerman said that they are in their 80's and have no money. Mayor Ryder advised that it is in the Ordinance that every property owner will be required to do it.

Velma Lutz said that her concern was with the width, and particularly the corners, and wondered what PennDot was going to do below the Borough line. The question of whether utility poles would need to be moved was raised, and Mr. Lynn said that PP&L is aware of it, and would be notified to move them. Mike Sollenburger was concerned with the water that comes from Hillcrest Drive and would like to see some improvements in storm water control in that area. Joe Coleman asked about where the water goes now. Mrs. Raub was particularly concerned about where the water would go in front of her property. Bob Lynn said that four new inlets were proposed to take water in the vicinity of Franklin Street and South Jackson Street.

The question was asked if the engineering is complete what is the next step. Mr. Lynn said the engineering is complete, that the pipes and inlets that we are putting in will take care of the water now. Mrs. Raub said she is very concerned about the additional storm water - that she is at the central point, and

that if the street is being raised it will cause here water problems. Mayor Ryder said that we will have the engineering double checked, and appropriately sized to see if they are big enough. He summed up the concerns - that storm water, inlet locations, road widths, sizing of pipes, and the costs seem to be the issues, and wondered if there were any others. Chester Lutz spoke up about the new development (Stratford Village), and wondered if the new street could be regraded to send water north instead of south, and if we could look at it. Mrs. Richard asked about the possibility of cooperative efforts between the contractors, and whether there was any possibility for financial arrangements being made or for grant assistance, that some very serious work needs to be done regarding this. President Lindsay said that at present we are not aware of any mechanism available. He suspects that at one time it would have been cheaper. Mayor Ryder said that we have been advised before by our solicitor that the Borough cannot contract for private individuals, but wondered if the Borough Manager could act as an agent, perhaps, on behalf of the property owners, and that we will be happy to look at that.

President Lindsay said that it is very important, and we will look at it. Len Ferber said we had previously looked at it extensively and seriously, but unfortunately some qualified and some did not. Other options also had been looked at, including low interest loans from local banks. Mrs. Richard said that there may be a time factor, that arrangements may need to be made in advance. President Lindsay said that there is not as much federal money available these days, and in prior efforts, the per capita incomes were just too high. Discussion ensued about the properties along the street that are in the Township, and whether or not there was any likelihood that the Township would be able to assist or be involved. Jack Miller asked about what would happen if a property owner just did not do it (the installation work). President Lindsay advised that Borough would be able to do it, and lien the property for the costs. Mrs. Raub asked about the projected time frame. President Lindsay said that it will take perhaps one month to discuss it further with the engineer. Mr. Lynn said that the bidding process would take from 6 to 8 weeks, and estimated 120 to 200 days to complete the work. It was suggested that perhaps we might want to consider just going with installation of curbing alone. Mayor Ryder said that the Council could consider that. President Lindsay thanked everyone for attending, and that Council will need time to digest all of the points of view expressed, will consider ways to proceed, and will keep everyone informed. The public meeting was adjourned at 8:05 pm.

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REGULAR MEETING

CALL TO ORDER. President Lindsay called the Regular Meeting to order at 8:05 pm.

MEMBERS PRESENT: Lindsay Coleman Haug Lutz
Ferber Barnett Penätzer

REQUESTS TO BE HEARD: James Foreman, of 237 Blackhorse Drive was present, and presented the issue concerning the drainage runoff behind his property. For 7 years he has never had a problem, and a Crosskeys property is now running water into the drain and going into the swale behind his property. The people behind, in the Township, have a sewage drain field that is not working because of it, a lot of children play in the water, and the sewage water is a health hazard. President Lindsay agreed that it sounds like a serious problem, and described what he knows about the problem. Gene Osmun explained that the property on Crosskeys had a sump problem, with water going into a neighbor's yard, and we looked at it, and for a temporary solution, suggested they put the water into the storm drain until a better solution is found. Mr. Foreman said he was concerned that perhaps a cracked line was involved. President Lindsay said that we will have the Foreman, Paul Miller, look at it further. Mrs. Carmelowitz, the owner of the property on Crosskeys, involved with the problem, was also present, and she described her problem, that they simply have a lot of ground water coming into their home, and don't know what to do with it. President Lindsay advised that he, the Borough Manager, and the Foreman will look closely at it, and see what can be done.

MINUTES OF March 27, 1994. Len Ferber made the motion to approve the minutes as presented. Seconded by Velma Lutz, the motion carried 7-0.

TREASURER'S REPORT. There were no questions.

SOLICITOR'S REPORT. Solicitor Crosswell reported on his activities for the month, which included responding to requests from the Auditor General's Office, regarding opinion letters, his discussion with Frank Mincarelli, who represents SLISA, regarding sewer capacity, his discussions with the Mayor regarding capacity and the AMP situation, and the work on the agreement with AMP to cease their pumping activities by August of 1995.

MAYOR'S REPORT. Mayor Ryder presented the activity request from the VFW, for the Memorial Day Parade. A motion by Susan Barnett to approve the request was made, and seconded by Len Ferber. The motion carried 7-0. His second item was the

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formation of the civil service commission, which was recently carried out. We will need to act at the next meeting to adopt the rules and regulations. There are three members - Mary Rachel Hoover, Jeff See, and Dave Penman. He also mentioned that we will need to have a public hearing at the next meeting, with regard to the Solid Waste Management Plan.

ENGINEER'S REPORT. Ray Miller, of HRG, Inc. was present, and described the discussions and planning that has begun with regard to Infiltration and Inflow work, that Bob Snyder of his firm is working on this with Paul Miller and Gene Osmun, regarding a plan and schedule of work. He also described the progress that had been made at Pump Station # 5, and that the pump control is ordered and will be installed shortly.

PRESIDENT'S REPORT. President Lindsay described the exit interview with the Pension Auditor, and the recommendations made. None were terribly critical, but one suggestion was that an active Pension Committee be formed. This could be done at the next reorganization meeting, or even at the next meeting. The assets of the two funds is \$273,000 for the Police Plan, and \$247,000 for the NonUniformed Plan, and that it is managed by two organizations - MMC&P do the actuarial work, and the funds are invested and managed by PSAB. No information has been received to date on the portfolio, and he has asked the Manager to contact PSAB regarding this. He strongly believes the employees should be concerned and involved.

OTHER REPORTS

MANAGER'S REPORT. Gene Osmun had submitted a written report. He described some of the zoning issues that we will need to look at in the near future, for possible revisions in the ordinance.

PUBLIC WORKS REPORT. As Paul Miller was absent, Gene described his written report.

POLICE REPORT. Chief Ham was present, and introduced the new police uniforms to the Council, which were well received. He also advised that the speed checks which were discontinued over the winter, are back in service now. He inquired as to the Council's wishes with regard to the old uniforms. Council was in general agreement that they be disposed of in a way that would be beneficial.

1994-46

UNFINISHED BUSINESS

REVIEW OF BIDS - MINDY AVENUE SEWER WORK. Gene Osmun advised that one bid had been received, from Pflumm Excavating, of Millersville, for \$16,000 to do the sewer replacement.

Velma Lutz asked if Bill Crosswell could determine if any recourse could be had against the title company, that we had reached an agreement with the Cains for an accommodation to solve the problem. Mayor Ryder said that we might be able to look at this, to force the issue. The bid for the work will be reviewed for further discussion at the next meeting.

REDUCTION IN LETTER OF CREDIT - STRATFORD VILLAGE. Gene Osmun and Paul Miller looked at the site, and inspected the reduction requested. The work completed which included tree installation, and erosion control had been completed, and it was their opinion that the reduction could be approved. Bill Crosswell advised that the Council could authorize the reduction, that it was their discretion as to whether an engineering opinion was needed. Velma Lutz made the motion to approve the reduction as presented. Seconded by Len Ferber, the motion carried 7-0.

SEWER CAPACITY REQUEST - GARDEN SPOT ACRES. Pat Devry, engineer for Al Goberman, was present to present the question about sewer capacity. He asked if the Borough was going to have sewer capacity, and if so, in what time frame. President Lindsay advised that the Council has been working on a solution. Mayor Ryder said that there has been no easy answer, that we have finally gotten some responses by letter to our questions. Bill Crosswell reviewed the letters that had been received from SLSA's attorney regarding the capacity issues and the ways suggested to measure capacity, and the status of the leases for permanent capacity as well as temporary capacity. Bill said that work has been going on regarding a proposed amendment, which would better spell out the terms surrounding capacity, and clarify the penalty provisions, and that we have until August 31st of this year to renew the sublease. Ray Miller outlined the work that had been done to date regarding the flow metering, and that the new equipment was needed to do it correctly. Pat Devry reviewed the information he had received from CDM Engineers, and that his opinion is that the capacity should be there. He asked if there ever would be capacity for this project. Mayor Ryder advised that when the municipalities agree on an Act 537 Plan, and a new plant, where capacity will be provided, that nothing is a done deal at present.

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Mr. Devry asked if there was any provision for infiltration in the capacity issues. Mayor Ryder said that the City exceeded its capacities as well, that there is no guarantees, and we have received no assurances from the Authority.

Russ McNair, of CDM was present, and advised that SLSA has 2.15 MGD of guaranteed capacity, with 1.0 MGD leased. The City has assured them that there would be no penalties if they are in compliance with the 30 day rolling average, but if the lease is not extended, then the city will be invoking the penalties. SLSA has been talking to the City about the end of the lease period and the possibility of extending it.

Mayor Ryder said that both the City and SLSA approved the Module (of Goberman) knowing full well that the capacity will be going away. Mr. McNair explained that what they had approved was conveyance capacity.

Mayor Ryder asked if there was any possibility for SLSA to permanently lease some capacity to the Borough, perhaps of capacity that has not been committed.

Mr. McNair said that the Authority does have a list of committed capacity, but that the actual flows are close to entering into the leased zone. If a factory is proposed, or committed developments proceed, they will be into the leased capacity. Mayor Ryder asked what if developers do not use it. McNair said that the capacity reverts back to the Authority. Strasburg Township had, at one time, relinquished 100,000 GPD, but had notified the Authority that they chose to relinquish it.

Ray Miller discussed the Borough's efforts at an I & I program, and how penalties can be used to assist curtailing the problem, and generate dollars to help with the work. He described how some infiltration cannot be gotten out, that in storms, there is a lot more inflow than infiltration.

Bill Crosswell asked if Mr. Devry was looking for official action on the 537 Module, that they had introduced this evening. That normally there is a 60 day period to act on a request, and whether we would be forced to take action. Mr. Devry said that the application is not complete, that they are not in the action stage. Mr. Crosswell said that the module is not complete then and the 60 day period is not running, as all comments have not been received.

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Gary Shirk, representing the Harnish Tract Developers, was present, and said they had first come to the Council, and gotten capacity, then the moratorium went into effect, and they went through the same thing that these folks were going through.

Bill Crosswell described the situation, that the moratorium applies equally to them as well.

NEW BUSINESS

INFILTRATION AND INFLOW CONCERNS - SEWER AUTHORITY. Bob Myers, Chairman of the Strasburg Authority, described the problem of water getting into basements of homes here in Strasburg, that with more homes in Strasburg, more water has been introduced to the sewer system, albeit illegally, and something needs to be done. If 50 homes in the Borough pumping one gallon a minute, in one month that amounts to 260,000 GPD. He has lived on West Main Street, and had to pump water for 29 years. He has given Gene letters to send out, and he has suggested that inspections need to be made, with the help of the solicitor. He feels that broken pipes are not necessarily the problem, that connections of sumps to the sewer system is the biggest part of the problem. Harold Wiker, also present, said that we may need to exert the penalties to get some results, and that letters and a write-up in the paper may be necessary.

Bill Crosswell reviewed Chapter 18 of the Code of Ordinances, and said that there is essentially no penalty provisions. President Lindsay said that we should authorize the solicitor to draft an ordinance amendment with penalty and inspection provisions.

Bill suggested that we implement a systematic program throughout the Borough, and establish probable cause in pursuing the problem. Council was unanimous in its consensus to have Bill draft the appropriate ordinance amendment for review at the next Meeting.

FOR REVIEW - HAMPDEN DRIVE PLANS. Gene Osmun said that they were nearly ready to put the project out to bid, and were working on the specifications. It will be displayed and reviewed at the next meeting.

PAYMENT OF THE BILLS. Len Ferber made the motion to approve the bills as presented. Seconded by Sue Barnett, the motion carried 7-0.

CITIZENS TO BE HEARD. Don Bachman was present, and suggested that it be put in the calendars for November 13th, Sunday Afternoon, the dedication of the Veterans Memorial that he

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has been working on, and developing plans and fund raising. He suggested the Borough officials could be there for the dedication, as it will be Veterans Day. He will let us know a little later more of the details.

EXECUTIVE SESSION. President Lindsay adjourned the meeting for an executive session at 10:15 pm for the discussion of personnel and real estate issues.

ADJOURNMENT. The meeting was reconvened at 10:55 pm with no action being taken, and no further matters for discussion.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Gene Osmun", written over a horizontal line.

Gene Osmun, Secretary

Item No. 3. Accessory use side and rear yard setbacks. This concern was recently raised in a Council Meeting, regarding side yard setbacks of accessory uses. The concern focused around whether 5 feet is appropriate, or too little. After considering the options, it was the consensus that anything attached to the house should be subject to the requirements of the house, that the setback of the house should apply to anything that becomes attached to the house. The language in the ordinance will be considered for change, to eliminate the problems of interpretation.

Item No. 4. Historic District Front Yard Setback. This concern also was raised in the Council Meeting a short time ago, and involved whether the 10 foot build to line, in the Historic District should stand, or be changed. Harry Roth outlined the various options that could be considered in changing this idea.

The consensus seemed to be that the primary concern should be to maintain the ambience of the historic district, and the 10 foot rule was instituted with that in mind. The Council made no decision on this, but will continue to consider the possibilities.

Item No. 5. Rezoning of the Municipal Building. The possibility of rezoning the municipal building property to commercial use was considered, as the possibility of finding an occupant is not great with the zoning as it is now, as residential. The various commercial zones were looked at to see which would be most appropriate. Harry Roth suggested that we might want to make the use very specific for this property, that we may do well to narrowly define its use, and allow it only by conditional use, with the permission of Council.

Item No. 6. C-1 Evaluate Other Requests for Commercial Zoning. Two letters were received regarding specific requests for rezoning of properties in the Historic District. The consensus was that there was no intent to convert residential properties to commercial, that the Council would stay with those existing unless it could be demonstrated that some were specifically missed. Council will continue to evaluate those that had been requested.

Item No. 7. Zoning of Garden Spot Acres. This item was presented because of the recommendation that had been made by the County, and the recent Comprehensive Plan Study Group, that this area be considered as R-2 rather than as R-3.

Item No. 8. Coordinate Boundary Zoning With the Township. The consensus with this item was that this will be taken care of by the new Comprehensive Plan, and the revision of the Township Zoning Ordinance.

Item No. 9. Zoning Fee Structure. Gene Osmun raised this question, regarding whether our fee structure was appropriate for the zoning ordinance. Harry Roth advised that the structure currently poses no problem, if it provides the income needed to cover costs, but that if a building code is implemented, it could be looked at, to distinguish fees for the two ordinances.

Item No. 10. New home on Hampden Drive, in the R-H District. This item had been brought up, and was duly noted, although it appears to pose no real problem.

Item No. 11. Other Issues. The letter from Ann Schein describing her recent appearance before the Zoning Board, was reviewed. Mrs. Schein was present to address the difficulties she encountered at that Hearing. It was agreed to discuss this with the Zoning Board.

Don Henry, of Century 21 Real Estate, was present, and by letter had requested consideration of changing the zoning of his property on West Main Street, from Residential - Historic, to Commercial. It was his understanding that the Council had agreed a year ago, to look at the possibility of rezoning certain properties, and to eliminate the nonconformities. It was agreed that the Council will be reviewing these in due course.

President Lindsay advised that all of these issues will be looked at, and thanked everyone for coming and presenting their views for the Council's consideration, concluding the public discussion of the zoning ordinance review.

REGULAR MEETING. 8:30 pm President Lindsay called the regular meeting to order.

REQUESTS TO BE HEARD. William Deihm, of Deihm Disposal was present, and presented his concerns about the solid waste issue.

As a hauler, he is concerned about the Borough putting the refuse collection out to bid, for one hauler, and that he believes that this effort, by the County Authority, is resulting in the small haulers, such as himself, being put out of business. He currently picks up around 350 homes in Strasburg, believes his rates are competitive, and that putting it out to bid, will eliminate his collection. He mentioned the recent Supreme Court decision, which will affect the Authority's control over the flow of refuse into the plant, and expressed his wish that the Council would hold off on signing any agreements with the Authority that would restrict the number of haulers, or that would require all waste flows to go to the County facility. He also raised the

question that with the Borough expected to pay the Authority, for tipping fees, whether the total costs being quoted are really accurate. Council thanked Mr. Diehm, and agreed to review the information he presented, and get a better understanding of what is being considered.

MAYOR'S REPORT. Mayor Ryder advised that the Unified Sportsmen had submitted a request for An Activity Permit, for Saturday, July 9th, 1994, from 6:00 P.M. until 10:30 P.M. to conduct the Annual Festival, which is a fund raiser for the Strasburg Jaycee's Park. Dorisann Haug made the motion to approve the request. Len Ferber seconded the motion, which carried unanimously.

Mayor Ryder mentioned that he and Gene Osmun had met with the developers of the Harnish tract, Msrs. Rutt and Shirk, and discussed the availability of sewer capacity. They were to contact SLSA to see if any further agreements could be worked out.

ACT 537 UPDATE. Mayor Ryder updated the Council of the meeting held on May 17th, between SLSA and the Regional Sewerage Committee, which was attended by DER representatives. The result of the meeting is that the Authority has agreed to work with the Committee in developing a plan of work, to submit to DER for beginning the 537 Planning Process. Ray Miller, of HRG, representing the Regional Group, will meet with Russ McNair, of CDM, representing SLSA, and with Mary Frey, of the County Planning Commission to develop the plan of work, for evaluating the various options, which in turn will be submitted to DER.

SOLID WASTE PLAN DISCUSSION. The solid waste issue having been discussed previously in the meeting, President Lindsay advised that the Council will need to learn more from Tim Breneisen, of the County Solid Waste Authority, before further discussions and action will be taken.

HAMPDEN DRIVE - REVIEW AND AUTHORIZATION TO ADVERTISE FOR BIDS. Gene Osmun advised that Kevin Werner was doing the final version of the plans, and the only apparent remaining issue appears to be whether to install sidewalks the entire length, or to delete it as previously suggested at the last meeting. John Penatzer suggested that with the uncertainty connected with the future of the building, it would be foolish to invest in sidewalks. Mayor Ryder suggested that as it is budgeted with should get on with the project. John Penatzer suggested that the utility cuts on Clover Avenue should be repaired. He made the motion to authorize proceeding with the work on Hampden Drive, as discussed. Seconded by Sue Barnett, the motion carried 6-0.

BID FOR MINDY STREET SEWER REPAIR - REVIEW, RECOMMENDATION.

Gene Osmun advised that the Sewer Authority had discussed the interceptor repair work on Mindy Avenue, and were recommending the bid received be rejected, and that the Borough Public Works Department be authorized to undertake the work. Material prices had been received, and it was the consensus that the work could be done at a much cheaper price. Carroll Lindsay asked if the solicitor had been consulted to review this procedure. Gene advised that he had discussed it with him, but would follow up further to insure the procedure was correct. Len Ferber made the motion to reject the bid from Pflumm Excavating, of Millersville, and to authorize the Public Works Department to proceed with the work, subject to review by the Solicitor. Seconded by John Penatzer, the motion carried 6-0.

INSURANCE - WORKMEN'S COMPENSATION QUOTES. Gene Osmun mentioned that he had worked on getting quotes for some time, had received two quotes from insurance pools - PIRMA, and PennPrime, as well as one from Legion Insurance Company, through Sedgewick James. While the one pool quote was lowest, after some discussion and research, he would recommend the one from Legion as having the least risk, considering the premium. The Company advised that there is no advantage at changing before August first, when the current coverage expires from the State Plan, so he suggests that we look at this again in July, for the renewal.

NEW BUSINESS.

CIVIL SERVICE RULES AND REGULATIONS. The draft regulations had been distributed previously for Council's review. Dorisann Haug asked about provision 4.8 regarding Physical Fitness Testing, on page 15, and why Harrisburg Community College is mentioned. It was suggested that this might be clarified to mention that HACC conducts the physical fitness testing for the Borough. Len Ferber made the motion to adopt the "Rules and Regulations" as presented, with the change as noted. Seconded by John Penatzer, the motion carried 6-0.

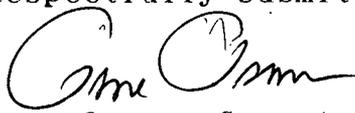
ACT 537 UPDATE. Mayor Ryder updated the Council that given the recent events regarding the Regional Plan, in discussions with Gene Osmun, it seemed to be a good idea that we should consider doing an update of our Act 537 Plan, and he has suggested that we have Ray Miller develop an estimate of what would be needed for us to proceed with our part, so that it would be ready when it is needed.

1994-55

OTHER BUSINESS. Gene Osmun mentioned that the work on the Pump Station was completed today, for the completion of the installation of the new Pump control mechanism, by Kappe Associates. He also mentioned that Kappe, as well as HRG, heard that Marsh McBirney intends to come in on June 23rd, and replace the volumeter at no cost, with an up to date model, which should improve the accuracy and reliability of the station considerably.

ADJOURNMENT. With no further matters for discussion, the meeting was adjourned at 9:55 pm.

Respectfully submitted,


Gene Osmun, Secretary

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Minutes of June 14, 1994

MEMBERS PRESENT: Lindsay Haug Lutz Ferber
Penatzer Coleman Barnett

OTHERS PRESENT: Bruce Ryder, Mayor
R.C. Johnson
Chris Heyn
Ray Miller, HRG
Sue Keene, Lancaster Newspapers
C.R. Droms
Aileen Wentz
Rick Wentz
Donald Bachman
Bob Ham, Police Chief
Paul Miller, Jr., Public Works Foreman
Michael Sollenberger

MINUTES OF SPECIAL MEETINGS, APRIL 26, 1994, AND MAY 10, 1994.

Len Ferber made the motion to approve the minutes as presented. Seconded by Dorisann Haug, the motion carried, 7-0.

SOLICITOR'S REPORT. William Crosswell described his activities for the month, which included providing an opinion on the bond issue to the auditor, regarding there no longer being a need for an audit of the sewer fund separate from the Borough sewer account, a discussion with Gene Osmun on right-of-ways connected with detention basins, the review of the assessment appeal of Historic Strasburg Inn, to insure the results are acceptable to the Borough, drafting the I & I Ordinance (which he reviewed briefly, and highlighted the significant enforcement and penalty provisions, and he mentioned that Atty. Mincarelli had advised that the Borough would be expected to contribute around \$32,000 as the Borough's Capitol Contribution to the City Sewer Authority, in November. He reported on his efforts with the recycling and trash removal, suggesting that it needs to be codified, particularly with regard to service charges, methods of payment and liens, and licensing standards for non-contract haulers. He suggested that we have the option of putting the standards in the Ordinance, regulations on the storage of trash, and reviewed the recent Supreme Court Case, regarding "Carbone" which distinguished interstate refuse from intrastate refuse. This issue is apparently the County Solid Waste Authority's problem, not ours, and we may go ahead and establish the proper format. He said he also discussed the sidewalk and curbing issue with Gene Osmun, revised the AMP agreement for handling discharges to the sewer system past 1995, and the penalty provisions.

1994-57

President Lindsay commended the Solicitor on the ingenious method of penalties and inspections for the I & I Ordinance. He also commented on the issue of the construction of the swimming pool in proximity with the retention basin, saying that the Hampden developers were the first to enter into stormwater management agreements, and that the zoning ordinance had also been involved.

MAYOR'S REPORT. Mayor Ryder said that it had been an extremely busy week for the Police, with some serious calls; however, they did keep up, and closed out a couple of cases.

ENGINEER'S REPORT. Ray Miller, of HRG commented on the I & I Ordinance, saying that the search warrant was a good thing to have included.

PRESIDENT'S REPORT. President Lindsay reported on his recent attendance at the Recreation Committee Meeting, that a very full and useful briefing had been provided. The summary that is available is a very useful document. The Committee is looking to the employment of an administrator and a clerical person to begin, with the cost to be shared between Strasburg Borough, Strasburg Township, and West Lampeter Township. The capital costs appear to be more of a concern, with the acquisition of various parklands to cost somewhere around 5 million dollars or so. The Planning Commission was invited to the meeting, so he is against spending an additional \$400 dollars to have another meeting. He has increased concern about the items mentioned in our Comprehensive Plan. He mentioned a concern about the need for better provisions in the Land Development Ordinance to prohibit greater water discharge than before development. He has looked at the problem, and at the 6 year review of our budget, as analyzed in our Comprehensive Plan, and he sees the expense items continually increasing without a comparable increase in revenues. We have been relying heretofore on the balances at the beginning of the year, and suspects that in 1995, it will come to a head.

BOROUGH MANAGER'S REPORT. Gene Osmun had submitted a written report, and had no further comment.

PUBLIC WORK'S REPORT. Paul Miller had also submitted a written report, and had no comment.

POLICE REPORT. Chief Ham reported that the civil service ad has been run for a new patrolman. He also added that the School Crossing Guard would be leaving at the end of school term, and we would need to authorize her replacement. He also reported that this past month, under his written report, is listed 5 missing persons, and one rape for the period.

1994-58

UNFINISHED BUSINESS.

FOR ADOPTION - SOLID WASTE MANAGEMENT PLAN. John Penatzer began the discussion with the question regarding a single hauler ordinance, advising that he believes it would be the most efficient method. Mayor Ryder said that the paramount issues appear to be that there could be a reduction in the rates, that some performance standards could be established. That to adopt an ordinance, we will need to charge up front for what it will cost, and we will need to decide on these items ahead of time.

The issue of whether we are committed to sending our trash to the County was raised by John Penatzer, and President Lindsay said that under the 1987 Agreement with the County, we are committed to follow the County Solid Waste Management Plan. Every municipality in the County agreed to the County Solid Waste Plan.

Joe Coleman expressed his concern regarding the effect the recent court case might have on flow control. John Penatzer raised the question of whether we wanted to go with a single hauler, licensed haulers, or leave the situation alone. Dorisann Haug said that if we leave it alone, problems will continue. John Penatzer said that we could write a licensing ordinance. Joe Coleman and Susan Barnett agreed that it would provide a savings to the community. Joe Coleman made the motion that we proceed with the single hauler concept, and plan, and proceed with developing the appropriate ordinance. Dorisann Haug seconded the motion. John Penatzer clarified the terms, that the plan would apply to properties of less than four units, that non-residential would utilize defined licensed haulers, and a single licensed hauler would handle residential trash collection. Bill Crosswell suggested a licensing requirement might be imposed. John said that the Park makes its own arrangements, that the Borough need not be involved. Joe Coleman wondered if standards should be part of the Ordinance. Mayor Ryder suggested we need the standards for licensed commercial haulers. After further discussion about proposed elements of the regulations, and specifically the use of the toter for residential collection, it was agreed that we should draft a revised solid waste ordinance, that Bill Crosswell will have a draft for the June 28th meeting, which would be possible to advertise for the July 12th meeting. It was also the consensus to include the option, that every residential property will be expected to use a toter. The motion carried 7-0.

MUNICIPAL AUDIT. The annual audit report presented and available for the Council's review and comment.

ZONING ISSUES. A list of zoning issues that were raised over the past year was presented for the Council's review. John Penatzer said that a number of issues in the land development ordinance need to be looked at. Gene Osmun advised that at least the municipal building should be changed. Velma Lutz suggested that the Planning Commission should be involved in looking at the issues. Bill Crosswell outlined the appropriate procedures to follow. President Lindsay suggested that the Council should take an hour at the next meeting strictly for zoning issues to draft some results and do one hour at each successive meeting until completed. It was agreed to meet at 7:00 pm at the June 28th Meeting, to discuss these issues.

SOUTH JACKSON STREET - DISCUSSION. President Lindsay outlined the issues before the Council regarding the work on South Jackson Street, principally the width, and the drainage work. Velma Lutz discussed the water problems south of the Borough, and suggested that it was the consensus of opinion that the street should be at 24 feet in width, as a one way street. Further discussion about the limits of the project possibly being at Bookflower Lane because of the Township properties involved to the south occurred. Ray Miller suggested that it was in the Borough's best interest to put curbing along the properties, including the Township's, if only to protect the Borough's investment. John Penatzer suggested that the Project go only to Funk Street, and made the motion to that effect. Seconded by Velma Lutz, the motion carried 7-0.

Mayor Ryder described the requirements that had been discussed and outlined in the sidewalk program, and that three year notice had been suggested. For safety, we need sidewalks, that low interest loans had been looked in to, by discussions with the Bank.

John Penatzer suggested we proceed with steps to patch the trench, and perhaps consider setting the project back a year to get things in place.

Ray Miller suggested that he, Paul, and Gene might get together to resolve this issue and see what options are available. It was the Council's consensus that this be done.

Dorisann Haug suggested we should give three year notices to the people, with a plan to proceed with the sidewalks. It was also suggested that Gene could give us a suggested schedule, and outline of the Project for consideration. Ray Miller suggested that a preliminary effort could be made, then at a later date a permanent fix could be implemented. Chairman Lindsay agreed.

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NEW BUSINESS.

TRANSFER OF FUNDS REQUEST. Gene Osmun said that a transfer of funds was suggested within the sewer account, from the line items designated for specific payments under the sewer indenture, and he was suggesting that these be reallocated to cover the costs of the work involved in the sewer project on Mindy Avenue. The consensus of the Council was to proceed.

FEE FOR PLANNING MEETING. President Lindsay advised that Gehringer Roth advised they would need to charge an additional \$400 for holding an additional meeting with the Planning Commissions for review of the Recreation Plan. He is against authorizing this payment. Velma Lutz made the motion that we authorize holding this meeting. John Penatzer made the motion for the purpose of discussion, saying that the Township will pay half. Dorisann Haug suggested we get the recommendation part out to all of the members. John suggested these folks get a hold of the whole plan, and spend some time going through it. Mayor Ryder suggested we get the Planning Commission and the Council together to discuss it. President Lindsay addressed the extra expenditures that we continue to authorize, which are costing the Borough extra money, and are contributing to the deficit of the Borough. It was agreed finally to hold the Planning Commission Meeting on June 23rd, at 7:30 pm and to get a memo out to all regarding the meeting dates as a reminder. The motion carried 5-2, Carroll Lindsay and Joe Coleman voting against the motion.

FIRE COMPANY PLAN. Architect Harry Dale Kaufman presented the plan on behalf of the Fire Company. The proposed building is to be used for quilt sales, and is to be a pole barn. The storm water control will have a 3 foot retention basin, and a 4 inch outlet leading from it. A good deal of water now going to the street will be retained, including the current building, and the driveway. Harry advised that a new type of paver will be put in to assist in water retention. Mayor Ryder said the issue focuses on whether the Council should grant a waiver of land development or not. Ray Miller said that the key issue is the calculations concerning the storm water. Bill Crosswell said that since 1988 any improvements to commercial properties involve land development. His concern would be with other expansion, and if we will have another review at that time. He said that the Council can condition the waiver based on the opportunity, or availability of looking at other plans in the future, and any other options that might arise. President Lindsay suggested that the storm water calculations be reviewed, and Ray Miller concurred, that they could be reviewed with regard to the Storm Water Ordinance only. Mayor Ryder wondered what we would be giving up, if we bypassed the Land Development Requirement. Bill Crosswell said that more detail, and more expense, related to

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the requirements would be involved. Harry Dale reviewed the recommendation of the Planning Commission, which was for approval, with waiving the Land Development Requirement. John Penatzer made the motion that we waive the land development requirement with an independent review to be done of the storm water calculations, with the condition that any further development of the property would require submission of the plans to the Borough, and they be in compliance with all other Borough ordinances. Seconded by Susan Barnett, the motion carried 6-0. Velma Lutz suggested that in the future, plan reviews be done at the beginning of meetings, to eliminate developers having to wait throughout the meeting. All agreed this was a good idea.

PROPOSAL FOR CONSTRUCTION OF A VETERAN'S MEMORIAL. Don Bachman was present and presented a plan for the construction of a monolith to be placed in the Square, to commemorate the veterans of all wars, who have lost their lives. President Lindsay suggested that to get a guarantee of its perpetual status, he might consider getting an easement to be obtained for the flag pole, and the plot of ground on which it would be located. Council was in agreement that this would be a wise move. Don said that he is asking for all of the help that he can get, that he has a few commitments, that around \$4500 would do it. This is his third project. President Lindsay thanked him for his presentation, and that there is a reference in the minutes that it was brought up before.

INFILTRATION AND INFLOW ORDINANCE/ENFORCEMENT. Bill Crosswell described this issue earlier in the meeting. He also discussed the municipal waste requirement that the City had requested as a part of the new Ordinance Amendment, because each that contributes to the City Sewer Plant is required to do it. He said the surcharge is included, although we don't actually have anyone doing it. The City in effect acts as our agent. Velma Lutz made the motion that we advertise the proposed ordinance amendment as presented, for adoption at the July 12th Meeting. Seconded by Dorisann Haug, the motion carried 6-0.

REDUCTION IN LETTER OF CREDIT / PEQUEA WORKS APARTMENTS. Chris Heyn, the developer of Pequea Works Apartments, had submitted a letter of request that his letter of credit be reduced from the \$6000 remaining, that perhaps \$600 could be retained to complete the work. Gene Osmun described the remaining items to be completed. Bill Crosswell advised that for private developments, we were not legally required to have a maintenance type bond in place. After some discussion, it was agreed that the work should be completed, and the letter of credit then released, and there would no longer be a need to keep a maintenance bond thereafter. Velma Lutz made the motion to that effect, John Penatzer seconding it. The motion

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carried 6-0. At Bill Crosswell's suggestion, it was agreed to place in the minutes that the President, the Vice President, and the Secretary, be authorized to attest to the satisfaction of the requirements. Sue Barnett made the motion to that effect, seconded by Velma Lutz, the motion carried 6-0.

HAMPDEN DRIVE DRAINAGE STRUCTURE. John Penatzer asked about the drainage basin behind Hampden Drive, along the J.C. Park, and wondered who is responsible for it. The metal control plate which regulates the water is apparently missing, and recently the J.C.'s reseeding efforts were washed out in the recent rains. After some discussion, it was agreed to have the Borough Manager look into the matter, and take the appropriate action, to find out whose it is, and who should fix it.

CROSSING GUARD REPLACEMENT. Chief Ham had requested authorization to endeavor to find a replacement for Mrs. Rice, who is retiring from the Crossing Guard position. John Penatzer made the motion to authorize the recruitment of a suitable replacement. Seconded by Dorisann Haug, the motion carried 6-0.

PAYMENT OF THE BILLS. Sue Barnett made the motion that we authorize the payment of the bills, as presented. Seconded by John Penatzer, the motion carried 6-0.

REQUESTS TO BE HEARD. Mike Sollenberger, of South Jackson Street, said that in light of the reduction in the scope of the work on South Jackson Street, he wanted to bring to the Council's attention his concern about the storm water coming from Bookflower Lane, to the Borough line, as it did on Sunday night. It is a major safety concern, as water is coming out, and going down the east side of South Jackson Street, and he would beseech the Council to investigate putting a detention basin at the northeast corner of Hillcrest Avenue, and South Jackson Street. The storm on Sunday night was of a severe magnitude. Mayor Ryder asked if the storm water management at Stratford Village is working as it should. It was agreed to have the Borough Manager look into it.

EXECUTIVE SESSION. President Lindsay announced that there would be an executive session for the discussion of personnel matters, and adjourned the meeting at 11:00 pm for that purpose.

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ADJOURNMENT. The meeting was reconvened at 11:30 pm and it was announced that the Council would hold an Executive Session June 27th, at 8:30 pm for a discussion of personnel matters. With no further matters for discussion, the President adjourned the meeting at 11:30 pm.

Respectfully submitted,



Gene Osmun, Secretary

1994-64
Minutes of June 28, 1994

MEMBERS PRESENT: Lindsay Haug Lutz Ferber
Penatzer Coleman Barnett

OTHERS PRESENT: Bruce Ryder, Mayor
R.C. Johnson
Don Henry
Robert Haug
C.R. Droms
Terry Harnish
Paul Miller, Jr. Public Works Foreman
Donald Bachman
Jim Johnson
Charles Book
Robert Ham, Chief of Police

7:00 pm. CALL TO ORDER. President Lindsay called the meeting to order at 7:00 P.M.

REQUESTS TO BE HEARD. Don Bachman addressed the Council on behalf of the Playground Association, and stated that an additional 3 feet width on the proposed width of Jackson Street, would provide additional parking, and provide safety. The added costs, of moving the inlets as proposed would not be worth the added expense, and could be put into paving. Charles Book, also present from the Playground Association, said that the additional width would come from the playground, would add to the parking, and had been approved previously. He believes Council should reconsider, it would save the taxpayers money, and is the best way to go.

ZONING ISSUES DISCUSSION. President Lindsay opened the meeting to further discussion of the zoning issues that had been previously been presented, and that discussion would follow that format.

1. Off Street Parking In Front Yards. John Penatzer described the problem, which principally involves the Hamdpen Drive Project. Council reviewed the choices that were available with that project, and the limitations of the old ordinances that were in place at that time. Mayor Ryder suggested that we study the old ordinance to see what loopholes were in place at the time, and to see what changes need to be made in the new ordinance to prevent the circumstance of parking in the front reoccurring. President Lindsay said that we should review the current ordinance as well, with help from the Consultant, and determine what changes might be needed.

2. Private Driveways. It had been previously suggested this might be a subdivision concern. Velma Lutz wondered if a turnaround would be needed on all new driveways. John Penatzer suggested that those on Main Street and Decatur Street should have them, but that locations such as Garden Spot, a turnaround only would create additional storm water unnecessarily. Len Ferber said there is no setbacks now for driveways, but he believes that a 5 foot setback should be considered for future developments, with the possible exception of shared driveways. Old, and existing driveways cannot be changed.

3. Side yard Setbacks. Mayor Ryder said that we had previously concluded that anything connected to a house must go by the existing setback. Velma Lutz suggested that the term principal structure be used, instead of "residence" for clarification. It was suggested this be also given to Harry Roth for a recommendation.

4. R-H 10 Foot Build To Line. Mayor Ryder reviewed the issue that had been discussed. John Penatzer suggested that we might consider giving the Historical Review Board the jurisdiction over this matter, if they want it. Mayor Ryder suggested we research this and determine a potential solution. President Lindsay suggested it is a matter of judgement and aesthetics. It was agreed to research the possibility of having the Historical Review Board determine this issue.

5. Municipal Building Rezoning. It was agreed to table this until a later meeting.

6. Request to Change to Commercial. This issues was discussed at some length, with individuals present who had previously submitted requests. Mayor Ryder argued that decision making should be based on a structure's previous use, rather than its current ownership, and wondered if we could ratify that approach as a policy to go by. John Penatzer agreed that we should adopt a philosophy to go by, as previously, in looking at the nature of the structure, rather than the use of it.

Don Henry read from the Scope of the Zoning Ordinance, that he believes the intent is to get the highest and best use for a property, and his would be as offices and apartments, even though historically it was a residential dwelling.

John Penatzer made the motion that we adopt a policy that follows the one we adopted previously, that is, to look at the nature of a structure, rather than the use of it. Seconded by Velma Lutz for discussion. Mayor Ryder

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explained why the zoning approach was taken when the ordinance was drawn up, and reviewed the list of properties that had been classified as commercial.

Terry Harnish asked if his had been overlooked, as his was similar to those on the list.

President Lindsay said that the success or failure seems to depend on a successful definition, and useful criteria, otherwise, it will be difficult to distinguish.

Bob Haug asked that the Council go slowly in this area, that it could leave us in the situation that much of Main Street would be commercial. He asked about what kind of town we wanted, that those who had made requests are not being interfered with, and asked that we look at it from all angles and with moderation so we do not go out of control.

Mayor Ryder said that is his purpose, to keep it objective, and just that.

Dorisann Haug asked of Don Henry what would be his advantage to be rezoned to commercial, and if he would operate any differently. Mr. Henry said that there was no purpose, only that he is currently (operating as) commercial.

President Lindsay called for a vote on the motion on the floor, that a model or criteria be established against which to measure requests for rezoning to commercial. All members were in favor, except President Lindsay voting in the negative. It was agreed that we work on the definition to make it as specific as we can.

RECOGNITION AWARD - JANET RICE. Mayor Ryder read the inscription from the plaque that had been prepared, and presented it to Mrs. Rice, for her faithful and devoted service to the children of the community as the crossing guard on Main Street, from 1979 to 1994, and expressed the Council's appreciation on behalf of the community.

SEWER RESERVE FUNDS - SIGNATURE AUTHORIZATION. Gene Osmun advised that the remaining funds from the refinancing are being held by the Trust Department of the Bank of Lancaster County, and signature authorization is needed to transfer funds to Borough accounts to pay bills. These funds were previously the responsibility of the Authority, and with the refinancing, they became the Borough's. The funds currently being requisitioned are to pay the bills for the repairs to Pump Station Number 5, and for the sewer line repairs on Mindy Avenue. The names to be designated will be the President, the Mayor, and the Borough Manager. Len Ferber made the

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motion to authorize the signatures for the requisitions from this account. Seconded by Velma Lutz, the motion carried 7-0. President Lindsay said that we should check to see if this account falls into the category of those funds dedicated for specific purposes, and to check this with the solicitor.

CALL FORWARDING. - TO COUNTY EMERGENCY CENTER. Chief Ham advised that the Dispatch Center will be moving, and the County has suggested an 800 number for routine calls to be made to the Police Department. 911 calls will be continue as the emergency number. The other options would be to have a 687 number, with calls to be call forwarded, or to keep the existing 299 number. Velma Lutz wondered what the other departments are doing, and the advantages and disadvantages. Chief Ham said it costs \$82 to set up, and every call is a toll call, if we go to call forwarding. If we use the 800 number, the county will pay for it. His suggestion is we go with the 1-800 number now, and use it initially, unless a better option presents itself. John Penatzer made the motion that we go with the 800 number option. Seconded by Velma Lutz, the motion carried 7-0.

COMMUNITY SERVICE PROGRAM. Chief Ham described the program through the Court, that he was visited by a representative today, and that they had a young fellow to place with us, to work a certain number of hours, that only kids from this area would be involved, and we would have the say over who we get. Mayor Ryder recommended that Gene and Bob be allowed to proceed at their own discretion. John Penatzer made the motion that we participate in the Community Service Program, as described. Seconded by Susan Barnett, the motion carried 7-0.

UNFINISHED BUSINESS.

SOLID WASTE PLAN. Gene reviewed the status of the proposed plan, and that the Ordinance was presented tonight for possible advertising. The schedule has been revised to meet the goal of implementing the program on October first. After a discussion about the insurance requirements and the liability limits in the policy, it was agreed to have these reviewed by the insurance carrier, and Bill Crosswell, to insure that we have proper coverage. Velma Lutz made the motion to advertise the ordinance for possible adoption, on July 12th. Seconded by Len Ferber, the motion carried 7-0. It was also agreed that the Solid Waste Management Plan would be considered for adoption as well, on July 12th.

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PENSION ISSUES. A sample resolution from MMC&P, the actuarial consultant for the pension fund, was reviewed for the Council. The resolution authorizes the acceptance of the updated joinder agreements for the Police Pension Fund, as requested by the Pension Fund Auditor, from the Auditor General's Office. John Penatzer made the motion to approve the resolution as presented, which was seconded by Dorisann Haug. The motion carried 7-0.

STORM WATER REVIEW - FIRE COMPANY BUILDING. The comments from Acer Engineers in reviewing the plans of the Fire Company's proposed new building had been previously distributed to Council, and were briefly discussed. It was agreed to gain the input of Harry Dale Kaufman, and HRG's Chuck Haley, to see if the comments couldn't be resolved, for the next Council Meeting.

EXECUTIVE SESSION. President Lindsay announced that a short executive session would be held to review personnel matters.

ADJOURNMENT. The meeting was reconvened at 8:55 pm and with no further matters for discussion, the meeting was adjourned.

Respectfully submitted,



Gene Osmun, Secretary

1994-69
Minutes of July 12, 1994

Members Present: Lindsay Haug Lutz Ferber
Penatzer Barnett

OTHERS PRESENT: R.C. Johnson
Lori VanIngen, Local Ledger
Chuck Haley, HRG Engineers
Gail Knauer, Strasburg News
C.R. Droms
Richard Nevitz
Mary Messner
Steve Messner
Sue Stirba
Ferdinand Frederick
John Shaffer
Dale Eisenberger
Jim Breon
Gary Myers
Larry Book
John Bachman
Charles Book
Jim Johnson
Terry Harnish
Ernest Ferretti
Larry Wixson
Paul Miller Jar, Public Works Foreman
Lisa Boyd, Administrative Assistant
Ken Kreider, Historical Review Board
Joyce Dauch
Kristi Kleintop
Brian Kreider
Naomi Hohman
Lynn Suprock

CALL TO ORDER AND PLEDGE TO FLAG. President Lindsay called the meeting to order at 7:30 pm with the Pledge to the Flag.

REQUESTS TO BE HEARD. Ernest Ferretti spoke regarding the notice regarding trash collection, wondering if the ordinance had been passed, and its status. President Lindsay advised the decision was scheduled for this evening, that the plan was to have a single hauler for residences of up to three units. Jim Breon asked if Council could poll the residents, instead of putting it down the residents' throat. Gary Myers asked why we are considering going to one hauler, that he has a variety of concerns about it. Dick Mentzer asked why a vote could not be put in the sewer and water bill. Larry Wixson asked if Council felt how we felt, that it is not fair for everyone to pay the same bill. John Shaffer felt that it would cost the

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Borough more money, cause more paperwork, and if there was a concern about different days of collection, may the trash haulers come on the same day. He is very pleased with his service. Ferdinand Frederick wondered if the Council's minds were made up, and what it would take to change their minds. Larry Book said he wondered why we can't discuss it, and let people make their own choice. John Bachman said he is not concerned with trash trucks all over town, and wondered if it is fair to charge an elderly lady the same as a family. There are a lot of unanswered questions. He believes there are a large number of constituents who agree, and the Council should table the Ordinance, and get a better representation from the community before deciding. Ferdinand Frederick said it is not right, that it is affecting a lot of people, and wondered about the effect on the elderly. Larry Book wondered if people move out, will the property owner be stuck with the bill for garbage. Another party wondered if there is a way not to participate. Ernest Ferretti said that the Lions Club is still recycling, and he doesn't know what affect this will have on them.

Len Ferber said that the comments will not go unanswered. The Committee did a lot of work, in reviewing information and data, in trying to come up with a suitable solution. He will make a motion tonight to have another meeting. Dick Mentzer asked that we put it in the sewer bill, yes or no. Ferdinand Frederick suggested a market survey, such as Armstrong would do. Larry Wixson suggested that the Committee be made up of persons from each ward, and to get people at large as well.

MINUTES OF MAY 10, 1994 AND JUNE 14, AND JUNE 28, 1994. John Penatzer made the motion to approve the minutes as presented. Seconded by Velma Lutz, the motion carried 6-0.

TREASURER'S REPORT. Len Ferber made the motion to accept the treasurer's report, as presented. Seconded by Susan Barnett, the motion carried 6-0.

SOLICITOR'S REPORT. Bill Crosswell said that he has been working with the Mayor and the Sewer Planning Committee recently. He has also been working with the Committee and the County Authority members on the bid documents. The I & I sewer system ordinance amendment has been advertised, dealing with illegal connections, and he reviewed with the Borough Manager various bidding issues, and subdivision issues.

MAYOR'S REPORT. Mayor Ryder was absent.

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ENGINEER'S REPORT. Ray Miller, of HRG said that he has been looking at the potential alterations on South Jackson Street, and with Gene, has been looking into another Grant Program. By the next meeting, he hopes to have recommendations on how to proceed.

PRESIDENT'S REPORT. President Lindsay said that he had met with the Staff, and the Borough Manager to review and update the Capital Improvement Plan, and that they hope to have the update available for Council's review at the first meeting in August.

OTHER REPORTS.

BOROUGH MANAGER. Gene Osmun briefly commented on the items he has been working on this month, including the solid waste issues, the personnel issues, review of workmen's compensation insurance, and the preparation of the bids for Hampden Drive, the efforts on South Jackson Street, the word from the County that we may be in line for a transportation grant for Lancaster Avenue, and that a permit report was provided this month for the 6 month period ending in June.

PUBLIC WORKS. Paul Miller reported briefly on the new meter and the controls that were put in at pump station # 5, and they both appear to be running fine.

POLICE. Chief Ham reported that the Activities Report for the month includes a one block parade for the local Methodist Church this coming week, and that a permit would be needed. He also stated that a written report had been issued for the month. Velma Lutz made the motion to authorize the Parade, for this week, for the location mentioned. Seconded by Susan Barnett, the motion carried 6-0.

UNFINISHED BUSINESS.

PEQUEA WORKS - RELEASE OF FUNDS. Gene Osmun advised that Chris Heyn had requested a release of funds previously, that Council had agreed that once the work is completed, it could be released, and no maintenance security would be needed. Gene advised that all but the capacity and calculations on the storm water retention pond remain, and Fuehrer Engineers are completing that, that they have concurred with HRG's assessment of the pond, will attest to its capacity, and will agree to the changes. Based on that, Gene is asking that the funds be released once Chuck Haley of HRG signs off on the work, after receiving the report. President Lindsay entertained a motion to that effect, and Dorisann Haug agreed, making the motion to approve the request, based on the engineer's approval. Seconded by John Penatzer, the motion carried 6-0.

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HAMPDEN DRIVE - BIDS RECEIVED. Gene Osmun advised that one bid had been received for the work proposed on Hampden Drive. If the Borough intended to reject it because of receiving only one bid, the contractor had requested we not open it, so at the bid opening, it was agreed to wait until the Council Meeting, to make the decision. After a brief discussion with Bill Crosswell, it was agreed to open the bid. It was then opened, with the price of \$99,998. Chuck Haley reported that all contractors are very busy, and they would recommend that we wait until the beginning of the season next year. They had previously estimated the work at \$65,000. John Penatzer made the motion to reject the bid as presented. Seconded by Susan Barnett, the motion carried 6-0.

SEWER SYSTEM ORDINANCE AMENDMENT. The proposed ordinance had been previously presented and discussed. Len Ferber made the motion to adopt the Ordinance as presented. Seconded by Velma Lutz, the motion carried 6-0.

SOLID WASTE PLAN AND ORDINANCE. Gene Osmun described the proposed solid waste management plan, and the schedule that had been developed, and subsequently revised to permit meeting the goal of implementing it by October first. The Committee had met on numerous occasions, and come up with a plan for a single hauler to collect the residential refuse of the community, which they had felt would produce considerable cost savings, yet result in appreciably more service, including leaf collection, and recycling. Bill Crosswell described the Ordinance that had been drafted, along with a bidding document that would be used for advertising for a hauler to do the work, and that it had been properly prepared and advertised. Len Ferber said that in light of the comments tonight he would suggest we delay until the next meeting in August. He realizes it will throw our timetables off, but it will give the residents time to digest the issue. Dorisann Haug agreed, and suggested to the residents that they come in and get all of the information, and see how their house falls into the plan, to talk to the Committee people, and get more information. John Penatzer said that the people here are not concerned with the cost of trash collection. We estimate it would save around \$100 per household. Those in the audience don't seem concerned with these costs. If we are going to distribute and pass an ordinance next month, the same as it is, these people will not change their minds. The issue for him, is the ability to save money for most of the residents. If need be, the leaves can be let lay, and the Public Works department can do it. Dorisann Haug said she hopes we can change the minds of the people, that we are trying to save money and give better service. John said he is not opposed to delaying it, unless we are going to consider a compromise or

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change. Others will not be well served, and wondered if we are going to revise the document.

Velma Lutz and Dorisann Haug both agreed that the majority of those served are not represented here tonight, that we are only hearing from those not served. President Lindsay observed that there is less than 50 people in attendance, out of 98 homes. Most are in favor, and he sees no advantage in delaying it. Almost all are in favor of recycling, and we should assume this is a response to the trash collection itself. John Penatzer said he would be opposed to eliminating recycling, that if we wish to provide a choice, West Lampeter has a single hauler concept, with choice - that we could use that model. He said that all trash in Strasburg must go to the Solid Waste Authority, and the only issue is whether we are going to provide a choice. At this point we are not sure what that will be. President Lindsay said he feels strongly that recycling is in order. Len Ferber asked for a show of hands from the audience in favor of recycling - the majority were in favor. He asked for a show of hands on having a choice of haulers, and again a majority was in favor. Len then made the motion that we reconsider our ordinance, that we delay in passing it, in order to gain input from our residents, to determine if we want multiple choices, and licensed haulers. Seconded by Susan Barnett, the motion carried, four in favor, Carroll Lindsay, and Velma Lutz opposed. Len advised that we would take one month, until the next meeting, to get input about having a licensed hauler, and to have the hauler we choose. John Penatzer said that we can bid for a single hauler, and still provide a choice. It will substantially alter the plan. Velma Lutz said that going the route we are taking now, the track will be from A to C, or B to C, we will be paying one fee, and each will have their choice of haulers. Recycling will be inconsistent, and every location will have a separate hauler. John added that in this ordinance we did not deal with commercial collection at all. All were agreed that further compromise on the plan would possibly cost additional money and the resulting system may not be as efficient. Len said that in any case we need to table discussion until August 9th, consider the comments of the residents, and restructure the ordinance to consider licensed haulers, to give the residents a choice. Bill Crosswell said that we can provide an opt out plan to give residents a 30 day period in which to choose, the ordinance needs to be redrafted, or provide simply licensing to license haulers. There will be no cost saving, and only a delay in implementation will occur. Len said it appears we are in agreement, that an opt out design would work, that Bill needs to know what option to draft, and the issues are that the licensing of all haulers is mandatory, recycling is mandatory, and everyone must have a hauler. He further suggested that the curb cart still be in the bid documents.

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Velma said that every hauler must haul to the County Landfill. It was further agreed that collection would be on the same day of the week, with collection times kept the same. John Penatzer seconded the motion and it carried 6-0.

PERSONNEL MATTERS. Gene Osmun presented the summary of the personnel issues discussed at the Executive Council Meeting, held on June 29th, and advised there was one correction needed, that the summary did not show the two part incentive for unused sick days. With the corrections noted, Len Ferber made the motion to approve the personnel policy changes, as previously presented, and with the corrections noted. (These are appended to the Minutes). Seconded by John Penatzer, the motion carried 6-0.

NEW BUSINESS.

##John Penatzer made the motion and seconded?##

TINNEY PAVILION. Velma Lutz said this was brought to Council for clarification on the demand for a \$250 payment for the use of the Pavilion by the PTO. As this is non-profit, she thought it should be brought before Council, as we are involved in the scheduling. John Penatzer asked why we are still involved in scheduling, as he believes it is not appropriate for us to be involved in scheduling. Previously the Post Office did it. We have no input into the rules and regulations and should not handle it. Jim Johnson and Charles Book were present and advised they were not aware that the Borough had a problem with the way it has been handled. Considerable discussion ensued with whether the Borough should be involved with scheduling private organizations. President Lindsay asked if anyone had a motion, and John Penatzer said he would make the motion that the book for the scheduling of the Tinney Pavilion be removed from the Borough offices. Seconded by John Penatzer, the motion was not passed, with the vote resulting in a 3-3 tie.

WORKMEN'S COMPENSATION INSURANCE. Gene Osmun described the efforts over the past 6 months in reviewing and obtaining quotes on the Workmen's Compensation insurance, that he had been trying to get us out of the State Fund, and that the question ended up being a question of whether to go into a pool, such as PIRMA, or PENNPRIME, or go with the single company quote we have, from Legion Insurance Co, which is with the PSAB SABRE Plan. He and Mr. Lindsay had reviewed and discussed this, and although there appeared to be slight cost savings, the pools have no experience to evaluate their track record, and consequently the SABRE Plan appears the more secure route to follow. The Council agreed with this assessment, and Dorisann Haug made the motion to approve the Legion Insurance Proposal, through the PSAB, and that after being in it for a year, we may be able to look at it again. Seconded by Velma Lutz, the motion carried 6-0.

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HISTORIC REVIEW BOARD. President Lindsay advised that we would table this matter until the next meeting, as Harry Dale Kaufman had left the meeting earlier.

SEWER RESERVE FUND - INVESTMENT OF FUNDS. Gene Osmun said that the Sewer Reserve Funds remaining after the refinancing was completed are still in the Trust Department of the Bank of Lancaster County, and that after evaluating the matter, it appears that we would be just as well served to have the Funds under our own administrative accounts with the same Bank, with no trustee fees involved. It appears that the return would be a good, or better. The suggestion then is to transfer these funds to the Borough Sewer Reserve Fund that currently is with the Bank. Len Ferber made the motion and Velma Lutz seconded it, to approve the transaction as described. The motion carried 6-0.

REGIONAL ADVISORY COUNCIL APPOINTMENTS - REDEVELOPMENT AUTHORITY. Dolores Richard, and Thad Grabowski, the current appointees to the Advisory Council, have been asked to be reappointed, and they have consented to serve another year. Susan Barnett made the motion that we reappoint both members for another term. Seconded by Dorisann Haug, the motion carried 6-0.

NEXT MEETING. As the July workshop previously was not included in the annual schedule, it was the consensus of Council that the meeting was needed to be held, with the many issues before Council. The meeting is to be advertised for July 26th, at 7:30 pm.

PAYMENT OF THE BILLS. Len Ferber made the motion to approve the bills as presented. Seconded by Dorisann Haug, the motion carried 6-0.

CITIZEN'S COMMENTS

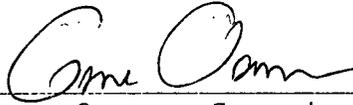
TINNEY PAVILION. Velma Lutz said she wanted to clarify why she had brought up the Tinney Pavilion matter. The lack of a formal pricing policy resulted in a demand for a donation, and in her opinion, a donation should be just that.

SIGNS. Dorisann Haug said that she would like to speak as a citizen, that she is concerned about the flashing sign that was on the premises of Historic Strasburg Inn last weekend. This property has had sign upon sign on the same property, and have had this sign for the craft fair as in the past. After further discussion, it was Council's consensus that enforcement notices should be sent to those in question, to forewarn them, to not display signs that would be an intentional violation, and to give them the appropriate notice.

1994-76

ADJOURNMENT. With no further matters for discussion, the meeting was adjourned at 10:15 pm.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Gene Osmun", written over a horizontal line.

Gene Osmun, Secretary

BOROUGH OF STRASBURG

Lancaster County, Pennsylvania

RESOLUTION NO. 1994 - 6

WHEREAS, the Borough Council has reviewed the various concerns raised by Borough Employees at a meeting held on December 7, 1993, and

WHEREAS, the Borough Council after deliberation has developed recommendations that will improve the conditions of employment for Borough employees,

NOW THEREFORE, the Council suggests that the following policies be implemented, effective beginning with the first pay period in August, 1994:

1. Overtime - Consensus is that the Public Works and Administration employee's normal work day is 8 hours, and work beyond that, or in addition to that will be paid at time and a half. Police personnel are working 10 hours days, so work beyond the 10 hours in a work period will be paid at time and a half. Work beyond the 40 hour work week will be paid at time and a half, per Fair Labor Standards Act. Vacation time, or sick time during the work week does not count toward the 40 hour work week.

2. Compensatory Time - It is agreed that the employee will choose whether to take overtime, or compensatory time. Suggested that compensatory time should be taken within two pay periods, that no accumulation beyond 20 hours should occur. A procedure, and a form can be used to account for this. Any pay adjustments that arise, during the pay period, that may arise due to checks coming out before the entire working period is complete, will be made in the subsequent pay period. The policy will be uniform between the Public Works, Administration and the Police Department.

3. Call Out Time - Minimum call out time will go from one hour to two hours. Same for all Departments.

4. Wellness/Accumulated Sick Time - While there are no changes made in the cap on accumulated sick time, it was agreed to adopt a policy of providing a bonus for attendance, and for not taking sick time. Suggested was \$200.00 per year, to be prorated, and effective with the first pay period in August. The \$200.00 would be paid if no sick days are taken during the year. If one sick day is taken during the year a \$100 bonus would be given. If two or more sick days are taken during the year no additional bonus or compensation would be given.

5. The foregoing policies are subject to change at anytime and shall not constitute a contract or a guarantee of employment benefits.

DULY ADOPTED this 12th day of July, 1994, by the Borough Council of the Borough of Strasburg, Lancaster County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF STRASBURG
Lancaster County, Pennsylvania

By: *Samuel S. ...*
President
Borough Council

Attest: *ET Osmer*
Borough Secretary

[BOROUGH SEAL]

STRASBURG BOROUGH COUNCIL

Minutes of Public Hearing
for CDBG Application - South Jackson Street

July 26, 1994 -- 7:30 P.M.

MEMBERS PRESENT: Lindsay Penatzer Haug Coleman
Lutz Barnett Ferber

OTHERS PRESENT:

Bruce L. Ryder, Mayor
Robert Ham, Police Chief
Peter & Barbara Conforti
Richard Mentzer
Anthony Pirozzi
Gary Myers
Larry R. Book
John C. Homsher
Dorothy Raub
Gerald Hoffard
Allen Shenk
Willis Harvey
W. Deihm
Allen Brotzman
Donald Bachman
Rich Suter
Chet Sangrey
John Gaissert
Tom Ketcham

Lisa M. Boyd, Admin. Asst.
Paul Miller, Public Works Foreman
Charles Book
Larry & Hope Wixon
Jim Feeney
Richard W. Harnish
John B. Hunter
Terry Harnish
Truman Baxter
Ernie Ferretti
C. Richard Johnson
Esther Johnson
Jim Breon
George M. Groff
Walter R. Pine
Judson R. Hall
Lois & John Yost
Jim Johnson
Joseph Prokop

Council President Carroll Lindsay opened the meeting at 7:00 p.m. and outlined the purpose of the meeting as the opportunity to receive public input from the residents of South Jackson Street for the proposed application for CDBG funds for the Lancaster County Redevelopment Authority.

He introduced Gene Osmun, the Borough Manager, who described the proposed work on South Jackson, from W. Main Street to Funk Street, as including water line replacement, including services to homes, new hydrants, drainage improvements, curbs and sidewalks, and road resurfacing. Anticipated to be completed this year is the completion of the water line work and some road base repair. He stated that in response to the consensus of many residents with the ability to pay for the proposed sidewalks and curbing, the Borough had investigated the possibility of various sources of funding, and determined that an application for this program might be worthwhile. To that end, it was established that an income survey would be needed to determine the eligibility of the area for funding. These surveys have been displayed, and were sent out last week to 23 homes on the street, and it is necessary that all questionnaires be returned to make the survey successful. The application is to be completed and submitted this week. Having been present during the storm on July 14, in which 3.5 inches of rain fell, Mr. Osmun said he could understand the concern of the residents, as the entire road was flooded in the vicinity of the Scout House. Mr. Osmun was unable to obtain pictures of the flooding due to darkness. Mr. Osmun further expressed the immediate need to improve the drainage along South Jackson Street.

Jim Feeney, a resident of the Borough, questioned why only South Jackson Street residents were mentioned to be eligible to receive this grant. Mr. Osmun explained that South Jackson Street improvements is the project that the Borough has been working on for sometime, and also explained that income eligibility is a very important aspect to receiving the grant. South Jackson Street is the first phase in a Borough wide curb and sidewalk program and is one street that we feels may be accepted as eligible and obtainable for funding. Mr. Osmun explained that he did meet with Eric Powell of the Lancaster County Redevelopment Authority to discuss which streets would be most eligible for the funding, and after extensive review it was decided by both that South Jackson Street is most likely to receive funding. Mr. Osmun then requested any residents that have any written comments on this program, to please submit them to the Borough Office.

Ms. Lutz explained that the area of competition for the funding is not State and County wide, it is only an established region of the County.

Mrs. Raub posed the question whether this project would also include tree removal and lawn and driveway restorations? Mr. Osmun stated unusually a project of this magnitude does include these types of restorations. All documented comments will be forwarded to the Redevelopment Authority along with the application.

Mr. Osmun stated that the survey forms are confidential. They are received by the Borough and then mailed unopened to the Redevelopment Authority for their evaluation.

The question was posed by Mr. Feeney, why the project stops at Funk Street and does not continue to the south end of South Jackson Street at the Borough line? Mr. Osmun explained that the project was scaled down because a section of the street is located in Strasburg Township and additional drainage problems need further evaluation.

The Public Meeting was adjourned at 7:22 p.m.

Submitted by,



Gene Osmun, Borough Manager

1994-79

STRASBURG BOROUGH COUNCIL
Minutes of July 26, 1994 -- 7:30 p.m.

MEMBERS PRESENT: Lindsay Penatzer Haug Ferber(7:35)
Lutz Coleman Barnett (7:20)

OTHERS PRESENT:

Bruce L. Ryder, Mayor	Eric Powell, Solid Waste Authority
Gene Osmun, Borough Manager	George Groff
Robert N. Ham, Police Chief	Walter Pine
Paul Miller, Public Works Foreman	Judson R. Hall
Peter & Barbara Conforti	John & Lois Yost
Richard Mentzer	Larry & Hope Wixon
Anthony Pirozzi	Jim Johnson
Dudly James	Charles Book
Allen Bernstorf	Jim Feeney
Suzanne Keene, Lancaster Newspaper	Richard Harnish
Jerry Hoffard	John Hunter
Dorothy Raub	Terry Harnish
Allen Shenk	Chet Sangrey
John Gaissert	Rich Suter, SRS Disposal Service
Joseph Prokop	W. Deihm, Deihm's Disposal Service
C. Richard Johnson	Donald Bachman
Esther Johnson	Ernie Ferretti
Tom Ketcham	Truman Baxter
Jim Breon	Willis Harvey
A. Brunan, Itell. Journal	Allen Brotzman
G. Book	

The Special meeting was called to order by President G. Carroll Lindsay followed by the salute to the flag.

UNFINISHED BUSINESS:

SOLID WASTE COLLECTION: Council President Carroll Lindsay explained to the citizens in attendance that at their last meeting, Borough Council decided to explore the five different options further before making a final selection. Another Public Hearing will be scheduled once the different options have been evaluated and a selection has been made. The proposed begin date of October 1st will not be able to be met and at this time the begin date will be scheduled for January 1, 1995. Public comment has been taken at a meeting in April, and two meetings in July. Councilmember Joe Coleman, who is also a member of the Recycling Committee, further explained the Committee met on July 21st. At this meeting Public Comments were taken and the opt-out option was discussed and seemed to be a popular option which needs to be evaluated further. Mr. Coleman suggested that a survey be mailed to all residents of the Borough asking their opinion of the options available.

1994-80

The pros and cons of all options were previously explored by the Recycling Committee, after an extensive review of all options, the Committee selected the single hauler option as their recommendation to Borough Council.

It was the consensus of Borough Council to refer this matter back to the Recycling Committee, with assistance from Tim Breneisen from the Solid Waste Authority and the Borough Manager, for further review of all options based on the input from Borough citizens. The Committee's final option(s) will then be forwarded back to Borough Council for their approval.

REVIEW OF CAPITAL IMPROVEMENT PROGRAM: The revised Capital Improvements Program was distributed to Borough Council for their review. Once Borough Council has had sufficient time to review the revised program, it will be put on a future agenda for further discussion. Mayor Bruce Ryder suggested that some of the minor items on the 1994 List be completed in order to keep the program on schedule.

NEW BUSINESS:

COMMITTEE RECOMMENDATIONS: Borough Manager Gene Osmun explained that the following Committees will be of great assistance to the Borough staff. Pension (will consist of the Mayor, Council President and Borough Manager), Finance, Facilities, Safety/Personnel and Public Works.

It was the consensus of Borough Council to have Council President Carroll Lindsay establish the committees.

PENSION STATEMENT REVIEW: The Borough's Pension Portfolio was pasted around to each Council member for review. The Portfolio listed the investments, size of assets, where the investments are located and how the Pension monies are managed. A periodic review of the Pension Portfolio will be a task of the Pension Committee.

HAMPDEN DRIVE: Borough Manager Gene Osmun explained that since the prior bid to extend Hampden Drive from the Hampden Meadows development across the Borough property to Precision Avenue had been rejected, this project has been discussed further with the Borough's engineer, the Mayor and the Council President and it is their opinion that this project should be rebid.

A motion was made by Len Ferber, seconded by Velma Lutz and passed unanimously to rebid the Hampden Drive Extension project.

SEWER CAPACITY: Borough Manager Gene Osmun explained that the Borough's temporary leased sewer capacity with the Suburban Lancaster Sewer Authority expires August 31, 1995. The Borough is required to request renewal of the temporary capacity one year in advance of its expiration. The Borough solicitor has prepared a letter requesting the renewal of the leased capacity.

A motion was made by Len Ferber, seconded by John Penatzer and passed unanimously to have the Borough solicitor hand-deliver the letter to the Suburban Lancaster Sewer Authority.

SCOUT HOUSE EXPANSION: Borough Manager Gene Osmun explained that Dan Sigman, Chairman of the Scouts, submitted a building/zoning permit application for an expansion to the Scout house located on South Jackson Street. Since the Scout house is located on the Borough's property it is important that Borough Council review the plan. The proposed addition would be to the rear of the existing Scout house. Questions were raised about stormwater run-off, the need for a Land Development Plan, and the unsafe heating system.

A motion was made by Sue Barnett, seconded by Len Ferber and passed unanimously to give conditional approval of the plan pending a review of stormwater run-off and the need for a Land Development Plan. This matter will return to Borough Council, for their review and approval, if either or both the conditions must be studied further.

EXCESS EQUIPMENT DISPOSAL: The Borough has received a request from Lancaster County Cooperative Purchasing for items to be sold at their annual auction. The Borough staff has compiled a list of 8 items: Mower, Remington saw, trailer, bubbler controls for lift station, 2 pumps, traffic lights, light bar for police cruiser and a two-way radio.

A motion was made by Velma Lutz, seconded by Sue Barnett and passed unanimously to approve the list of items to be auctioned as presented.

ACTIVITIES REQUEST: Mayor Bruce Ryder has received an Activities Request from Dutchland Collector Auto Auction to hold an Antique and Classic Car Show on September 30th, October 1st and 2nd at the Historic Strasburg Inn.

A motion was made by John Penatzer, seconded by Len Ferber and passed unanimously to give conditional approval of the event with following conditions: All signage restriction outlined in the Zoning Ordinance will be enforced. No flashing signs or banners will be permitted.

BOROUGH SQUARE: Councilmember Dorisann Haug stated that she has received a complaint from a Borough resident about the poor condition of the Square. There is a problem with trash cluttering the streets at the Square. The existing trash cans are not being emptied when they become full.

It was the consensus of Borough Council to refer this matter to the Borough Manager. It was the suggestion of Borough Council that the owners of the businesses located in the Square be requested to provide trash receptacles for their patrons.

SIGN VIOLATIONS: Vice President John Penatzer explained that the signs location in front of Turkey Hill and the Market Basket restrict the view when exiting the parking lots onto North Decatur Street.

It was the consensus of Borough Council to refer this matter to the Borough Manager. It was the suggestion of Council President Carroll Lindsay that the use of photos may be helpful in locating sign violations.

STATE PLANNING ASSISTANCE GRANT: Council President Carroll Lindsay read a letter sent from Governor Robert P. Casey office, informing the Borough that the Department of Community Affairs has approved the Borough's State Planning Assistance Grant application. The application was approved for the amount of \$4,250 for the update of the Borough's Subdivision and Land Development Ordinance.

Borough Council requested the Borough Manager to verify whether the Grant is for the Subdivision and Land Development Ordinance or the Joint Comprehensive Plan. An application was completed for each.

RESOLUTION TO APPLY FOR SOUTH JACKSON STREET FUNDING: Borough Manager Gene Osmun requested approval for the preparation of a Resolution to apply for South Jackson Street Funding. The Resolution will be submitted with the Grant application.

A motion was made by Len Ferber, seconded by Dorisann Haug and passed unanimously approving the preparation of the South Jackson Street Resolution.

CITIZEN COMMENT:

Mrs. Raub of South Jackson Street explained that her opinion of a single hauler is that it is a monopoly. The Sherman Anti-Trust Act, which is a Federal law passed in 1890 and enacted to protect free competition by declaring all monopolies and trusts to be illegal. Mrs. Raub suggested that Borough Council review this law prior to proceeding with the single hauler options. Mrs. Raub also explained that she saw a trash hauler throw recyclable and all trash in the same truck. Does someone sort it again once it gets to the Solid Waste Authority?

Mr. Pirozzi of Kingscote questioned why the Borough Council is proceeding with recycling and who suggested that they do so? Council President Carroll Lindsay explained that the Borough Council, a number of years ago, agreed to participate in the County's recycling program. Mr. Pirozzi stated that this should not be forced upon the citizens of the Borough who do not want to participate.

Mr. Brotzman of East Main Street stated that the Borough should not get involved in recycling. Each citizen should choose which hauler they want and should also decide whether to participate in recycling.

Mr. Ferretti of Prospect Road suggested that the citizens who do not want recycling should not be required to participate.

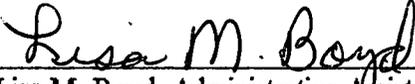
Mr. Deihm, a trash hauler in the Borough, suggested that Borough Council require all haulers to be licensed and make it mandatory for them to recycle.

Mayor Bruce Ryder explained that data was obtained from the Lancaster County Solid Waste Authority on every municipality in the County and it was proven that those citizens who participated in the single hauler option had significantly lower fees for trash collection for their household. Other reasons why the Borough decided to proceed with recycling are that many citizens have complained that their trash hauler costs are higher than other municipalities, the noise made by many different trash haulers and sometimes trash left along the streets.

President Carroll Lindsay stated that all the questions, suggestions, and comments will be forwarded to the Recycling Committee for further review. The Committee meetings are opened to the public, but since they will not be a Public Hearing, the Committee is not required to take public comment.

The meeting was adjourned at 9:05 p.m.

Submitted by:



Lisa M. Boyd, Administrative Assistant

1994-84

STRASBURG BOROUGH COUNCIL

Minutes of August 9, 1994 - 7:30 p.m.

MEMBERS PRESENT: Lindsay Penatzer Ferber
Lutz Barnett Coleman

OTHERS PRESENT:

Bruce L. Ryder, Mayor	Lori Van Ingen, Local Ledger
Gene Osmun, Borough Manager	Clarence Droms
F. Steven Echternach, Police Sergeant	Tom Ketcham
Paul Miller, Public Works Foreman (8:15)	Joseph Prokop
William Crosswell, Solicitor	John Gaissert
Richard & Esther Johnson	Jerry & Ruth Hoffard
Dwight Hershey	Dorothy Snyder
Dick Mentzer	Greg Lutz
Charles Danner, Jr.	Charles Book
Jim Johnson	John & Dorothy Raub
Ken Retallack	Bill & Sandy Brotzman
Larry & Hope Wixon	Norman Karmilowitz
Christopher Shaeffer	Walter Pine
Roy Harnish	Gary Myers
Larry Book	John Homsher
Jim Breon	Ernie Ferretti
Richard Harnish	Terry Harnish
Emil & Jeanette Beers	Naomi Hohman
Lynn Suprock	Donald Bachman

The Regular meeting was called to order by President G. Carroll Lindsay followed by the salute to the flag. President Lindsay also explained that this is a Council meeting, not a Public Hearing. Public comments will be taken, but Council will not provide responses. Anyone with a comment must state their name and address for the record.

REQUESTS TO BE HEARD: None

MINUTES: A motion was made by Susan Barnett, seconded by John Penatzer and passed unanimously to approve the minutes of the June 14th, June 28th, July 12th and July 26th meetings as presented.

TREASURER'S REPORT: The reports for the period ending July 31, 1994 were accepted and filed for audit.

SOLICITOR'S REPORT:

HAMPDEN MEADOWS LETTER OF CREDIT: The Solicitor has reviewed a revised Letter of Credit which was submitted by Allan Goberman's bank. He has advised the Borough Manager that the revised Letter of Credit not be accepted.

INDEMNIFICATION CERTIFICATE FOR THE CAPITAL IMPROVEMENT FUND: The Solicitor has drafted a memorandum regarding the capital payments the City of Lancaster expects the Borough to pay for the capital improvements to be made to the South Plant. A meeting has been scheduled for September regarding the basis and allocation, and the method of payment. The Solicitor has advised the Suburban Lancaster Sewer Authority's Solicitors of the need to review the long-standing issues for capital payments, the outstanding balances of the two obligations are not clear, and that the Borough might want to consider a lump sum settlement of all outstanding balances to save money.

SEWER CAPACITY RENEWAL REQUEST: The letter requesting the renewal of the temporary capacity has been delivered to the Suburban Lancaster Sewer Authority. The Solicitor has requested the Borough's participation in this matter.

HISTORIC STRASBURG TAX ASSESSMENT APPEAL: The Solicitor has been monitoring the progress of the assessment appeal proceedings which are being handles by the County Solicitor. The Trial is scheduled for August 23rd, but settlement could occur before that date. This matter will be discussed under Unfinished Business.

MAYOR'S REPORT: Mayor Bruce Ryder reported that a Special Events Request has been submitted by the Heritage Society for the annual Strasburg Heritage Days. The event will be held on September 10th at the Strasburg Playground Association property located behind the Strasburg Elementary School. The Mayor recommended approval of the event.

A motion was made by Len Ferber, seconded by Velma Lutz and passed unanimously to approve the Special Events Request as presented.

ENGINEER'S REPORT: Ray Miller, of HRG Engineers stated that he has no formal report, but will have some input under the Borough Manager's report.

PRESIDENT'S REPORT: President Carroll Lindsay stated that he does not have a formal report.

OTHER REPORTS:

MANAGER'S REPORT: The Borough Manager reported on the following items that were presented in his written report:

SOUTH JACKSON STREET: The Borough Manager received a written report from Ray Miller stating the Borough should complete the water service lines, make the needed repairs to the base or subbase, and to proceed with completing the plans so that the overlay can be installed next year. Mr. Miller also suggested that the Borough continue to look for additional funding over the winter months.

DRAINAGE PROBLEMS: The Borough Manager reviewed the drainage problems located between South Decatur Street and Shenk Avenue. There are also drainage problems behind the homes located on Hampden Drive. The restriction plate located in the retention pond on Hampden Drive has been reinstalled. The drainage problems on South Jackson Street were reviewed by the Borough Manager and HRG and they came to the conclusion that the water on Bookflower Lane was bypassing the inlets due to the fact that the wearing surface has not been installed. However, the predominant amount of water running on South Jackson Street is coming off Hillcrest Avenue. There is no provision for drainage in the developments in the area.

ZONING ISSUES: The Borough Manager reported that he has sent letters on sign enforcement as requested by Borough Council. Letters were also sent to all businesses in the Square requesting for their assistance in keeping the Square attractive. Historic Strasburg has submitted an application to have horse drawn carriage rides on the streets of the Borough. The Borough Manager/Zoning Officer has notified Historic Strasburg that they will need to seek approval from the Zoning Hearing Board for a Conditional Use.

COMMUNITY SERVICE: The Borough Manager reported that the Community Service individual has completed his service with good results.

MUNICIPAL BUILDING ROOF: The Borough Manager reported that additional information has been obtained about the roofing repairs needed to the Municipal Building. He suggests that the reroofing and/or repairs need to be completed prior to the winter months.

PUBLIC WORKS REPORT: The Public Works Foreman submitted his written report for July. In his absence, the Borough Manager reviewed the work that was being completed at the Mowrer Spring. The 4" plastic water main was clogged and has broke and is not draining to the pumphouse properly. The main will be replaced this week.

POLICE REPORT: Chief Ham submitted his written report for July without further comments.

UNFINISHED BUSINESS:

ZONING ISSUES - REQUEST PLANNING COMMISSION TO REVIEW: On a request from Council President Carroll Lindsay, the Solicitor reviewed the procedures by which zoning ordinances may be amended. The actual adoption process requires the Borough Planning Commission to review the proposed amendments and make recommendations to Borough Council and those recommendations are to include a specific statement as to whether the proposed amendments are in accordance with the Borough's Comprehensive Plan. The Lancaster County Planning Commission is also required by law to review and to make a statement as to whether or not the proposed amendments are in accordance with the County's Comprehensive Plan.

It was the consensus of Borough Council to review their list of eleven zoning issues along with the three comments made by John Hohman during his preparation of the Joint Comprehensive Plan. This review will take place at the next Council meeting and Borough's Council recommendation, comments and goals will be forwarded to the Planning Commission for their review and comment.

GOBERMAN REQUEST TO PROCEED WITH PRELIMINARY PLAN: The Solicitor reviewed briefly the background of this issue. At this time, the plan is in the sketch plan stage. Due to the Borough issuing a Sewer Moratorium, in January the developer granted the Borough an indefinite extension of time to act on the plan. A request has been made by the developer to be able to proceed with the processing of the sketch plan and then to continue into the preliminary plan stage.

It was the consensus of Borough Council to have the Solicitor, with the assistance of the Borough Manager, draft an agreement between the Borough and the developer that establishes that the developer may proceed with the planning process. The developer must agree to the condition that if the sketch plan is approved, Borough Council can deny the Preliminary and Final Plans if the sewer moratorium is still effect. The request from the developer to have an indefinite extension of time from the requirement that once the preliminary plan is approved you have three years to complete the development, was denied.

ZIMMERMAN SUBDIVISION: The Borough Manager read aloud the comments prepared by the Borough's engineers. HRG recommended plan approval conditional on the satisfaction of the following items: 1. The ownership plan acceptance certification should be signed by each of the three affected property owners. 2. Consideration should be given to reserving an additional 3.5' of right-a-way along the frontage of S. Jackson Street and an additional 1' of right-of-way along the frontage of Miller Street. The Lancaster County Planning Commission has also reviewed the plan.

A motion was made by Velma Lutz, seconded by John Penatzer and passed unanimously to approve the plan conditioned on the completion of the Borough Engineer's review comment #1, the ownership plan acceptance certification should be signed by each of the three affected property owners.

RECREATION PLAN - SCHEDULE PUBLIC HEARING DATE: It was the consensus of Borough Council to have the Public Hearing on Tuesday, September 20th as long as the date suits John Hohman's schedule.

FIRE COMPANY PLAN: H. Dale Kaufman, Architect and representative for the Fire Company reviewed the plans and explained that most of the comments outlined in the comments of Acers Engineers have been completed. Mr. Kaufman stated that since the last meeting, the Fire Company has decided to remove the small storage shed and extend the proposed building an additional 20'. The storm water calculations will not be affected by this change.

A motion was made by Len Ferber, seconded by Velma Lutz and passed unanimously approving the storm water plans as presented.

HISTORIC STRASBURG TAX ASSESSMENT APPEAL: A motion was made by Velma Lutz, seconded by Sue Barnett and passed unanimously to appoint the Borough Manager and/or the Council President to act on the Borough's behalf.

A motion was made by Velma Lutz, seconded by Len Ferber and passed unanimously to authorize the Solicitor to act on a settlement for the Borough.

NEW BUSINESS:

WINTER SERVICES AGREEMENT: A motion was made by Velma Lutz, seconded by John Penatzer and passed unanimously to renew the 5-year Winter Services Agreement prepared by PennDOT.

COMMITTEE ASSIGNMENTS: It was the consensus of Borough Council to delay the Committee appointments until the next Council meeting. Once the Committees have been established, each Committee will appoint a Chairperson.

ACCEPTANCE OF DCA GRANT: A motion was made by Len Ferber, seconded by Velma Lutz and passed unanimously to accept the \$4,000 grant from the Department of Community Affairs for the Subdivision and Land Development Ordinance revisions.

PAYMENT OF BILLS: A motion was made by Velma Lutz, seconded by Sue Barnett and passed unanimously approving payment of the list of bills as presented.

CITIZEN'S COMMENTS:

Larry Wixon of Susan Avenue asked the status of the trash issue.

Mr. Scheaffer of 190 Wilton Drive stated that he supports the single-hauler trash option and ordinance. He also stated that he is concerned about the amount of money that is being spent on Legal fees. A Solicitor is needed, but not at every meeting.

1994-89

Charles Book, representing the Strasburg Playground Association, posed the question, has the location of the sidewalks along the East side of South Jackson Street been decided? The Playground Association would like to start installation of their sidewalks in 1994.

Dorothy Snyder of the Olde Towne Strasburg development requested that copies of the prior meeting Council minutes be distributed at the current meeting on an on-going basis. She also requested a copy of the minutes of the July 12th meeting.

The meeting was adjourned at 8:55 p.m.

Submitted by,

Lisa M. Boyd
Lisa M. Boyd, Administrative Assistant

1994-90

STRASBURG BOROUGH COUNCIL

Minutes of August 23, 1994 - 7:30 p.m.

MEMBERS PRESENT: Lindsay Lutz Feber (7:40)
Barnett Coleman Haug (7:40)

OTHERS PRESENT:

Bruce L. Ryder, Mayor	Lori Van Ingen, Local Ledger
Gene Osmon, Borough Manager	Donald Bachman
Robert Ham, Police Chief	Clarence Droms
Paul Miller, Public Works Foreman	Richard Mentzer
Naomi Hohman	Terry Harnish
Ken Retallack	Sam Shaub
Larry Wixon	Walter Pine
Judson Hall	Jim Breon
Gary Myers	Larry Book
G. Book	

The Special meeting was called to order by President G. Carroll Lindsay followed by the salute to the flag.

REQUESTS TO BE HEARD: None

UNFINISHED BUSINESS:

VETERAN'S MEMORIAL: Donald Bachman presented a revised drawing of the Veteran's Memorial to be located in the front lawn area of Massasoit Hall in the Square. The Odd Fellows, owners of the property, are working with their lawyer to dedicate the portion of their property on which the Memorial will be located. Dedication day will be Sunday, November 6th.

CROSSING GUARD CANDIDATE: Police Chief Bob Ham explained that the Borough received three applications for the Crossing Guard position. The Police Chief and Borough Manager conducted two interviews, and both are in agreement that the position be filled by Naomi Hohman of 236 Crosskeys Drive. Ms. Hohman was in attendance and was introduced to Borough Council. The salary of the position is shared with the Lampeter-Strasburg School District. The Borough supplies the uniforms.

A motion was made by Velma Lutz, seconded by Sue Barnett and passed unanimously to approve the appointment of Naomi Hohman to the position of Crossing Guard.

ZONING ISSUES FOR REFERRAL TO PLANNING COMMISSION:

1. OFF STREET PARKING IN FRONT YARDS -- It was the consensus of Borough Council to forward this issue to the Planning Commission for their review and recommendations. This issue will be added to the list of items to be reviewed during the Subdivision and Land Development Ordinance revision.
2. PRIVATE DRIVEWAY TURN-A-ROUNDS -- It was the consensus of Borough Council to forward this issue to the Planning Commission for their review and recommendations. This issue will be added to the list of items to be reviewed during the Subdivision and Land Development Ordinance revision.
3. SIDE YARD SETBACK REQUIREMENTS - ACCESSORY USES AND STRUCTURES - CURRENTLY 5' -- (Section 301.1) It was the consensus of Borough Council that anything (decks, patios, etc.) attached to the principal structure must meet the requirements of the principal structure setbacks. This item will be forwarded to the Planning Commission for their review and recommendations.
4. R-H ZONING DISTRICT BUILD-TO LINE - CURRENTLY 10' -- (Section 201.7) It was the consensus of Borough Council that a more flexible build-to or set-back line be established that is consistent with what is currently in the Historic District. It is the desire of Borough Council to have uniformity along the Historic District. One alternative was to use what was in the previous Zoning Ordinance, to take the average of the adjoining properties or establish a building set-back line. This item will be forwarded to the Planning Commission for their review and recommendations. Borough Council suggested that the Planning Commission request the assistance of the Historic District Board.
5. REZONING OF MUNICIPAL BUILDING PROPERTY -- A motion was made by Dorisann Haug, seconded by Sue Barnett and passed unanimously to rezone the Municipal Building property from R-2 to C-1, from Hampden Drive to the tree line. Borough Council does not want to expand the Commercial use of the property beyond the existing structure. The cornfield will remain zoned Recreation. The area between Lancaster Avenue and Hampden Drive will remain R-2. The Borough Manager will review how the Pending Ordinance Rule may effect this issue. This item will be forwarded to the Planning Commission for their review and recommendation. Borough Council also requested the Planning Commission to hold a Public Hearing on this matter.
6. C-1 COMMERCIAL RE-EVALUATION - It was the consensus of Borough Council to have the Planning Commission edit the purpose statement of the C-1 and R-H Zoning Districts. Modify the R-H purpose statement to describe more clearly were it might be appropriate, for an otherwise R-H zoned property, to be zoned C-1 and reference that to the Historic District and preservation of the current structures. Modify the C-1 purpose statement, which was originally written for the properties on the Square and which now includes a few properties on East Main, West Main, and Miller Streets. Borough Council's objective was not to expand the C-1 District indiscriminately, they took into consideration the current use of the structure, the historic architecture and historic use to determine whether the property would be more appropriately zoned C-1 rather than R-H. This item will be forwarded to the Planning Commission for their review and recommendation. Borough Council suggested that the Planning Commission invite the Historic District Board to assistant them in this process.

7. ZONING OF GARDEN SPOT ACRES - It was the consensus of Borough Council to keep this tract of land zoned R-3. The Lancaster County Planning Commission had suggested that the property be zoned R-1. This item will be forwarded to the Planning Commission for their review and recommendation.
8. ZONING OF PROPERTY AT BOROUGH BOUNDARIES - It was the consensus of Borough Council to forward this item to the Planning Commission for their review and recommendation. This item will be added to the list of items to be reviewed during the Subdivision and Land Development Ordinance revisions.
9. ZONING OF FIRST LOT IN HAMPDEN MEADOWS - It was the consensus of Borough Council to have all lots in the Hampden Meadows development zoned R-2. This item was forwarded to the Planning Commission for their review and comment.
10. SPECIAL EXCEPTION - GARAGE SIZE - Currently in the R-H and R-1 zones a Special Exception is required for an accessory detached structure exceeding 250 square feet of floor area. Borough Council pointed out that this was established so that the Zoning Hearing Board could question whether a business or apartment was going above the garage or structure. Borough Council suggests that this requirement is too restrictive. This item was forwarded to the Planning Commission for their review and comment. It was the consensus of Borough Council to have the Planning Commission request the assistance of the Historic District Board.

President Carroll Lindsay stated that Section 301.7, Ornamental Ponds and Wading Pools needs to be reviewed. The calculations listed in the ordinance are incorrect and the size allowed needs reviewed.

Borough Council authorized the Planning Commission to review other issues that may arise.

PERSONNEL POLICIES FOR REVIEW: The Borough Manager distributed and reviewed copies of sample Drug Free Workplace, Sexual Harassment, and Disability/Sick Leave policies.

It was the consensus of Borough Council to have these items on the next Council agenda for action.

COMMITTEE ASSIGNMENTS: Council President Carroll Lindsay distributed the list of Committee assignments. The Committees are as follow:

<u>Facilities</u>	<u>Finance</u>	<u>Personnel</u>	<u>Public Works</u>	<u>Safety</u>
Ferber	Lutz	Coleman	Haug	Penatzer
Coleman	Coleman	Lutz	Penatzer	Ferber
Barnett	Haug	Penatzer	Barnett	Barnett

NEW BUSINESS:

REQUEST FOR SPECIAL EVENTS PERMIT - HISTORIC STRASBURG INN: Chief Ham outlined the event. Insurance information has been received for the event. Parking personnel will be provided by Historic Strasburg. A parking fee will be charged. Mayor Bruce Ryder suggested approval of the event.

A motion was made by Joe Coleman, seconded by Velma Lutz and passed unanimously to approve the Special Events Permit for Historic Strasburg for a Jazz and Balloon Festival to be held Sunday, September 4th from 12 noon to 8 p.m.

GUIDELINES FOR RENTAL OF MUNICIPAL MEETING ROOM: The Borough Manager distributed a sample of what prices might be charged for rental of the meeting room. A request from the Little League was received for space to store their baseball supplies. A request from David Steele to rent space for wood carving classes was also reviewed.

It was the consensus of Borough Council to approve the request from the Little League. The request from David Steele and the meeting room rental will be referred to the Facilities Committee for their review and recommendation. Council has requested the Committee to meet prior to the next Council meeting so this matter can be on the next Council agenda.

STATUS REPORTS - S. JACKSON ST. AND LANCASTER AVE. PROJECTS: The Borough Manager gave a brief update on the South Jackson Street Project. The Community Development Block Grant application and income survey have been completed and delivered to the Redevelopment Authority for processing. A total of 22 survey were mailed to citizens on South Jackson Street and 21 responded. We are eligible for funds based on the income survey, but this is only the first of a several hurdles that must be met prior to the Borough being awarded funding. The next step is a Hearing before a Citizen Committee, which consists of a thirty minute presentation by representatives of the Borough. A letter has been sent to Representative Barley's Office in order to request funding under a Legislative Initiative Grant. This request was for South Jackson Street, for the assistance with the installation of curb and sidewalks for the Strasburg Playground and Strasburg Pool & Recreation Assoc. The Public Works Department is in the process of installing the water service lines.

Velma Lutz asked the Borough Manager the status of the work being done by PennDOT on South Jackson Street. She added the Borough needs to discuss this matter with PennDOT before they remove their equipment.

The Borough Manager explained that the Borough has received notification that a LATS grant in the amount of \$77,000 has been awarded to the Borough for roadway, curbs, and sidewalk improvements along Lancaster Avenue.

A motion was made by Velma Lutz, seconded by Len Ferber and passed unanimously approving the agreement for execution by the appropriate Borough Officials. It was also suggested by Borough Council that the turn-back request for Lancaster Avenue be resubmitted.

OTHER BUSINESS:

HAMPDEN DRIVE: The Borough Manager stated that the Hampden Drive project has been put out for rebid.

SEWER CAPITAL PROJECTS: The Sewer Capital Projects meeting between the Borough and the Suburban Lancaster Sewer Authority has been scheduled for September 15th at 9 a.m. at the Manhiem Township Municipal Offices.

It was the consensus of Borough Council to authorize the Borough Manager and Solicitor to attend the meeting on behalf of the Borough.

HISTORIC STRASBURG TAX ASSESSMENT APPEAL: The Borough Manager explained that Borough Council had at their last meeting gave authorization to the Borough Manager and/or Council President to sign the appeal release. Since that time, the Solicitor has requested that he be authorized to sign the release on behalf of the Borough.

It was the consensus of Borough Council to have the Council President sign the appeal release.

HOME OWNERS ASSISTANCE PROGRAM: The Borough Manager explained that the Redevelopment Authority has notified the Borough of a Home Owners Assistance Program which would make available grant monies for sidewalks and curbs for those families with low income.

It was the consensus of Borough Council to have the Borough Manager obtain the necessary forms and to proceed with the program.

896 CORRIDOR STUDY: Copies of the revised Draft were distributed.

It was the consensus of Borough Council that the Study needs further review. A meeting of the 896 Study Group will be scheduled in the near future to review the document.

REQUEST FOR SPECIAL EVENTS PERMIT: Mayor Bruce Ryder explained that he has received a Special Events Permit request from Granpa Yahn's Shoppe on East Main Street to have a live radio broadcast on Thursday, October 6th from 6 a.m to 10 a.m. The Mayor suggested approval.

A motion was made by Len Ferber, seconded by Joe Coleman and passed unanimously approving the Special Events Permit as presented.

TRICK-OR-TREAT: A motion was made by Len Ferber, seconded by Velma Lutz and passed unanimously approving Trick-or-Treat night as Monday, October 31st from 6 p.m. to 8 p.m. Also approved was the annual Halloween Parade to be held on Thursday, October 27th.

KENWAR BUILDING: The Borough Manager explained that he would like authorization to submit a Letter of Intent for Phase 2 and 3 testing of the KenWar building.

A motion was made by Len Ferber, seconded by Sue Barnett and passed unanimously to authorize the Borough Manger to submit a Letter of Intent to the Pennsylvania Department of Commerce for a grant under the Pennsylvania Greenfield's Initiative subject to the following conditions:

1. The Borough of Strasburg shall incur no liability or expense in connection therewith;
2. The Borough of Strasburg shall not be obligated to submit a grant application to the Department of Commerce in the event the Borough determines in its sole discretion, that it does not desire to proceed with the request for a grant from the Department of Commerce;
3. The submission of the Letter of Intent shall not constitute a commitment, promise, or undertaking by the Borough to approve any proposed development and or use of the property, which is the subject of the Letter of Intent, and
4. The private investor at whose request the Letter of Intent is being submitted to the Department of Commerce shall reimburse the Borough for any expense which the Borough may incur with regard to the request for a grant under the Pennsylvania Greenfield's Initiative.

BUSINESS WRITING CLASS: The Borough Manager explained that he has received a request from Lisa Boyd to attend a Business Writing class at the Lancaster Campus of the Harrisburg Area Community College. The Class will consist of 15 hours and will cost \$185.00. The class will run from September 19th through October 17th. Lisa will be working towards an American Management Association Certificate.

A motion was made by Velma Lutz, seconded by Len Ferber and passed unanimously to approve the class.

JOINT RECREATION PLAN: The Borough Manager has received a request from Strasburg Township for an additional \$100 towards the purchase of new slides for the slide presentation at the Joint Recreation Plan Public Hearings.

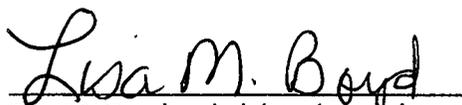
It was the consensus of Borough Council to not participate in the purchase of new slides.

CITIZEN COMMENT:

Richard Mentzer asked the status of the agreement that the Borough Solicitor was to prepare for the Allan Goberman Development.

The meeting was adjourned at 9:10 p.m.

Submitted by,


Lisa M. Boyd, Administrative Assistant

1994-96

STRASBURG BOROUGH COUNCIL
Minutes of September 13, 1994

MEMBERS PRESENT: Lindsay Penatzer Ferber Haug
Lutz Barnett Coleman

OTHERS PRESENT:

Bruce Ryder, Mayor	Bob Haug
Gene Osmun, Borough Manager	Gary Myers
Robert Ham, Police Chief	Jim Breon
Ray Miller, HRG Engrs.	Donald Bachman
Lori Van Ingen, Local Ledger	
Suzanne Keene, Lancaster Newspapers	
Robert Wetzel	
Robert Campbell	
Gary Shirk	
Larry Wixson	
Richard Mentzer	
C.R. Droms	

The regular meeting was called to order by President G. Carroll Lindsay followed by the salute to the flag.

REQUESTS TO BE HEARD: None.

MINUTES: A motion was made by Doris Ann Haug to approve the minutes of the August 9th, and August 23rd meetings as presented. Seconded by Len Ferber, the motion carried 7-0.

TREASURER'S REPORT. Len Ferber made the motion to approve the Report as presented. Seconded by John Penatzer, the motion carried 7-0.

SOLICITOR'S REPORT:

GOBERMAN SUBDIVISION: The Solicitor reviewed the letter of of agreement prepared for the developer's request to proceed with the plan, with the understanding that there may not be sewer capacity available. The agreement gives the Borough until the December Meeting to act on the Sketch Plan, and then 15 days to proceed to Final Plan. Whether the sewer capacity issue is resolved is solely up to the Borough Council. The agreement provides no commitment, and the developer agrees to the condition that no sewer capacity exists at present.

HISTORICAL STRASBURG TAX APPEAL. The Solicitor described the results of the tax appeal, which he monitored, and which ultimately resulted in a sizeable reduction in the tax liability for the Inn.

1994-97

CITY SEWER ISSUES. He advised that he has been working on the Regional Sewerage Issues, in particular with regard to the allocations from the City, and that a meeting is to be held this Thursday at Mannheim, which he will attend, of all of the municipal contributors to the city system.

OTHER ISSUES. The solicitor advised that other issues he has reviewed and made recommendations were the Greenfield Initiative, the regional sewage issues involving SLISA, and tax assessment appeal of Kenwar.

MAYOR'S REPORT: Mayor Bruce Ryder said that he had received a thank you from the Heisler Library for the annual contribution.

911. He also addressed the transition to 911, that there will be a fee of \$14/month for call forwarding, until the transition is complete, that we need to publicize the new non-emergency number (800-957-2677), the other fire number is 611-3473, and perhaps we could put it in the water and sewer bills.

CIVIL SERVICE. the Mayor described the progress of Civil Service, and said by the second Meeting in October, a list should be available.

OTHER ISSUES. He advised that he and the Chief were asking the Safety Committee to meet, to review the curfew ordinance, the Sewer Committee is making progress, that they have a draft available now for the Committee and the Authority to sign.

ACTIVITY REQUEST. He described the request from Don Bachman for the Veteran's Monument dedication on Sunday, November 6th, at 1:30 P.M., that it will require closing the Square for a short period of time. Mr. Bachman advised that the approvals for the land had been given. Len Ferber made the motion to authorize the Activity, as presented. Seconded by Velma Lutz, the motion carried 7-0.

911 STICKER. John Penatzer suggested that a sticker or card giving the 911 information might be appropriate. It was agreed to look into it, and even see if the County could assist with implementing it.

ENGINEER'S REPORT. Ray Miller, of HRG Engineers described the status of the flow metering to date, and the improved data that has resulted since the new meter was installed, and that the information indicates that the flows are less than previously thought. They will continue monitoring this and in particular see how the ground water table affects the data in the wet season.

1994-98

PRESIDENT'S REPORT. President Lindsay described his attendance at the Historical Review Board meeting, and that it is appropriate for the Council to review Certificates of Appropriateness as a regular matter. He felt it was important that we be attentive, and careful with the details of these issues. He said he had met with the Staff to review the Capital Improvement Plan, that he believes it would be appropriate to include the anticipated needs for water filtration, and that the suggested revisions will be available for the September 27th Meeting, that they will be useful in preparing the 1995 Budget.

CDBG APPLICATION. The President said that our application for Community Development Assistance is being heard on September 21st, for the paving of South Jackson Street, and that we would be presenting the information on the flooding and other conditions. Council agreed that Chuck HRG should attend, to lend support to the application.

OTHER REPORTS:

MANAGER'S REPORT. The Manager had submitted a written report, and reviewed the following items: the proposed budget calendar, suggestions made by the PIRMA insurance representatives, the tabling of the Goberman Sketch Plan by the Planning Commission, the proposed scope of work for the ~~Subdivision Update~~, the need for the 896 Group to set a meeting date, the upcoming CDBG presentation for South Jackson Street, and the efforts on the Personnel Manual and the Health Insurance being made. Additionally, 3 bids are available on Hampden Drive, for Council's review.

REZONING OF THE MUNICIPAL BUILDING. The rezoning of the municipal building was discussed, Bill Crosswell reviewed the procedures for amending the Ordinance, and it was agreed to get have the engineer help prepare the legal description, and plot plan. Comments from the County will also be required.

POLICE REPORT. Chief Ham advised that the previous month saw traffic incidents going down, and criminal incidents going up. He said that the I.D. Program did well at the Fire Hall, in working with the J.C.'s, with about 1000 children involved. It looks good for another year. He also reported that the recent Balloon ascensions at Historic Strasburg caused no incidents, and went well.

UNFINISHED BUSINESS:

PROPOSED SUBDIVISION - GLENN ESHELMAN. This item was deleted from the Agenda at Mr. Eshelman's request.

1994-99

GOBERMAN SEWER REQUEST. The documents of the Agreement had been prepared, and signed by Allen Goberman, and Bill Crosswell advised that a motion would be needed to authorize the appropriate Borough officials to sign the documents, that the proposal must still go through Sketch Plan approval. John Penatzer made the motion to approve the Agreement, and to authorize the President and the Secretary to sign the document. Seconded by Sue Barnett, the motion carried 7-0.

SEWER CAPACITY - HARNISH DEVELOPERS. Gary Shirk was present, having presented a letter to the Council asking for consideration for sewer capacity. Bill Crosswell advised that they have conditional approval to proceed, similar to Goberman, that we are not in a position to grant sewer capacity at present, and that they may proceed at their own risk. The capacity will be determined by Council at the appropriate time. Mayor Ryder said that we have better data, that we are hoping it is not beyond capacity, and that the lease situation is still a bone of contention. He also suggested that the purchase of a portable meter would help us to monitor the flows in our system, to help in evaluating our problems.

HAMPDEN DRIVE BIDS. The bids for Hampden Drive were opened, and reviewed. They were: McMinn's Asphalt Co, Inc., \$96,406. for base bid, \$1000 Alternate A price; Andrews Excavating at \$67,474, alternate bid A at \$915, and H.L. Wiker & Sons, at \$66,252, alternate bid A at \$610. Len Ferber made the motion to approve the bid of H.L. Wiker & Sons, at \$66,252. Seconded by John Penatzer, the motion carried 7-0.

PLANNING GRANT - AGREEMENT FOR SERVICES. This item was referred to President Lindsay, and the Borough Manager to review.

BOY SCOUT HOUSE - LAND DEVELOPMENT FOR DISCUSSION. This was removed from the Agenda, as additional information is forthcoming from the Architect.

NEW BUSINESS:

CERTIFICATE OF APPROPRIATENESS - SHROY HOUSE FENCE. Recommended for approval by the Historic Review Board, Len Ferber made the motion to approve the request, and seconded by Doris Ann Haug, the motion carried 7-0.

ASSESSMENT APPEAL - KENWAR PROPERTY. R.B. Campbell was present and apprised Council of his request for a reduction in the assessment of the Kenwar building, which he intends to purchase. While his option has expired, he has an approval letter from the Bank to request the reduction. After review, Council had no objection to the request.

MEMORANDUM OF UNDERSTANDING - REDEVELOPMENT AUTHORITY. Len Ferber made the motion that the President and the Secretary be authorized to sign the appropriate documents to begin the Program, which provides low to moderate income homeowners with assistance to make needed infrastructure improvements. Seconded by John Penatzer, the motion carried 7-0.

FACILITIES COMMITTEE RECOMMENDATIONS. President Lindsay commended the Committee on their recent meeting. The proposed use of a room for a classroom by David Steele was reviewed, and it was the consensus that it could proceed, once appropriate security is available in the rest of the building, and appropriate lease document prepared.

AUTHORIZATION TO REQUEST BIDS.

ROOFING REPAIR. Velma Lutz made the motion to authorize requesting bids for repairs to the membrane roof. Seconded by Doris Ann Haug, the motion carried 7-0.

PAVING REPAIR - SOUTH JACKSON ST. It was the consensus to proceed with appropriate repairs, to include compaction, and base installation, and to obtain 3 quotes for installation as soon as possible, after the utility services are complete.

SEWER METER. John Penatzer made the motion that we proceed with obtaining quotes for a portable sewer meter, and related equipment, to be used under the Infiltration and Inflow Program, to be paid for out of the Sewer Reserve Fund. Seconded by Sue Barnett, the motion carried 7-0.

ACCEPTANCE OF GRANT AGREEMENT - COMMERCE DEPT. FACILITIES IMPROVEMENTS (LEGISLATIVE INITIATIVE GRANT). John Penatzer made the motion to authorize the President and the Secretary to sign the official documents accepting the Grant. Seconded by Doris Ann Haug, the motion carried 7-0.

PRESENTATION OF PROPOSED 1995 BUDGET CALENDAR. The proposed calendar was reviewed, and John Penatzer made the motion to approve it. Seconded by Sue Barnett, the motion carried 7-0. The Budget/Finance Committee is to be involved, and it was agreed they would discuss their role after the meeting.

AUDIT REPORTS. The recent reports for the Annual Borough Audit, and the Municipal Pension Audits were reviewed, and are available for Council's review.

OTHER BUSINESS:

SOUTH JACKSON STREET - Velma Lutz questioned if it had been determined where the line is on South Jackson Street, and after discussion, it was the consensus that we should meet with PennDot and see if it can be resolved.

FIRE COMPANY SIREN. Velma Lutz suggested that we answer the letter of the lady who wrote to us regarding the noise level of the fire company siren. It was the consensus that the siren is necessary, and is preferable to what would be involved with having pagers for all firemen.

PERSONNEL COMMITTEE. In response to the question about the duties of the Personnel Committee, President Lindsay said that it is the intention for them to assist with all personnel issues, new personnel, terminations, policies, and other matters.

VETERAN'S MEMORIAL. Doris Ann Haug asked if the Council is in a position to make a donation for the Veteran's Memorial, and made a motion to that effect. The motion was seconded by Len Ferber. Don Bachman updated the Council on the effort, stating that the fund raising is at about half way, that they also proposed changing the flag pole, and were looking for a way to record the names of the veterans at the site as well. The motion carried 6-1, President Lindsay voting in the negative because he said that items of this nature should be supported by public subscription.

ADA COMPLIANCE. Len Ferber made the motion to authorize going out to bid for improvements to the building for handicapped accommodation. Velma Lutz seconded the motion. Suggested items were the improvement at the front sidewalk, hearing assistance for the Council Room, and modifications to the front doorway. It was agreed that we take deliberate steps to proceed, to do an audit to determine our needs, to prioritize, and get bids on the obvious items. The motion carried 7-0.

LEGAL EXPENSE. Velma Lutz suggested that a response to Chris Shaffer would be in order to address his concerns about the Borough's legal expense.

VOTING PROCEDURE. John Penatzer suggested that in our voting we ask for naves as well as ayes. Our motions carry, and we often do not know whether we have a consensus.

1994-102

COMPREHENSIVE PLAN. In response to John Hohman's request, a memo from Lisa had requested any comments be forwarded to him as soon as possible. Doris Ann Haug had presented her list. After some discussion, it was agreed that anyone having comments should present them at the next meeting, where it will be an item on the Agenda, and we will anticipate scheduling the Hearing.

PAYMENT OF THE BILLS. Sue Barnett made the motion to approve the bills as presented. Seconded by Len Ferber, the motion carried 7-0.

CITIZENS COMMENTS: None.

FINANCE COMMITTEE SCHEDULE: The members agreed to meet on October 4th, at 7:00 P.M. for the first meeting, on October 18th, same time for the second meeting, and on November 1st, for the 3rd meeting, also at 7:00 P.M. with the advertisement to be run in the weekly.

ADJOURNMENT. With no further matters for discussion, the meeting was adjourned at 10:00 P.M.

Respectfully submitted



Gene Osmun, Secretary

1994-103

STRASBURG BOROUGH COUNCIL
Minutes of September 20, 1994 - 7:30 pm

MEMBERS PRESENT: Lindsay Penatzer Lutz Haug
Coleman

OTHERS PRESENT: Bruce Ryder, Mayor
Gene Osmun, Borough Manager
Pete Kingsley
James Yinger
Shirley Yinger
Susan Abalee, City of Lancaster Recreation
John Hohman, Gehringer Roth Assoc.
C.R. Droms
Charles Good
Joan Decker
Allen Shenk
Donald Bachman
John Pratt
Marlin Smoker

PUBLIC HEARING FOR CONSIDERATION OF THE LAMPETER-STRASBURG JOINT RECREATION PLAN.
John Hohman briefly summarized the work of the Recreation Study Group which consists of representatives from Strasburg Borough, Strasburg Township, West Lampeter Township, the Lampeter - Strasburg School District and the Pennsylvania Department of Community Affairs. With financial assistance from Community Affairs, the work was begun two years ago, and developed a document, which has as its number one recommendation the formation of a regional recreation commission. Ultimately there will be two park boards, staffed with a professional recreation director, and recommendations for at least two community parks.

In response to a question regarding the cost, Mr. Hohman advised that the first year operating costs would be around \$125,000, proportionally distributed between the respective municipalities and the School District. The cost of the capital improvements is sizeable, but the plan is very flexible. He further explained that one of the options for fund raising could be the use of mandatory dedications, particularly in the two Townships, where there is a lot of land to be developed. The goal is to have the Commission self supporting, to utilize the Circuit Rider program, and to raise funds by a variety of means: user fees, bond issues, grants, and the like. Regionalization would assist in procuring grants, and our area provides a good opportunity to become self supporting, with less tax dollars involved.

John described the Keystone 93 Recreation Grant Program, which will make 45 Million dollars available statewide to support recreation, through the year 2010. In addition, the County, through the County Parks Initiative would make funds available for recreation.

Velma Lutz indicated that many people commented on the need for additional baseball fields, and whether they could do private fund raisers and contribute. John said this certainly could be done.

John Pentatzer described how the fund raisers had worked in the past at the J.C. Park.

Mayor Ryder said that it would be difficult to get different organizations together, for fundraising and planning, that this seems to be the greatest opportunity to get the planning and coordination accomplished.

Don Bachman stated that 6803 surveys had been sent out, and of that number, 288, or 4% said we need recreation. He also said that 4 million dollars is a lot of money to spend, with only 288 agreeing on it. He went on to describe the facilities of the County Park, which has around 349 acres available, of 550 acres total. He said that he observed 3 weekends where there was little or no use at that facility, that a lot of ballfields could be put over there, and wondered why this wasn't considered in the Recreation Plan. He asked that the Borough travel lightly, that the Borough has long term debt, that we have a problem with sewage capacity, the Borough needs a water tower, and the Borough is facing a lot of expense in the near future.

Susan Abalee was asked to describe how the funds are to be spent of the \$125,000 per year. She said that typically \$30,000 to \$40,000 would be required for an experienced director, that the budget also includes a Program Supervisor, some clerical staff, and the cost of mailing and developing a program guide could be from \$5000 to \$8000. Initial program startup costs could be around \$10,000. A Task Force would work out the details on how the funds would be raised. She said there would not be a lot of overhead.

President Lindsay asked if they would have the authority to borrow money. John Hohman said they would not.

President Lindsay said that there are little physical facilities short of the School District, that the recreation program would need to deal with a number of private facilities, and there would be a need for the municipalities to encourage cooperation. He cited the Hempfield area, with not a lot of public facilities, and they use a lot of the private facilities. He is puzzled how this would work out.

Susan Abalee said there is a need to forge relationships, and work closely with the private organizations, that an example would be baseball, that coordination is needed to utilize the various facilities.

John Hohman said that the Recreation Commission could help to do this, to maximize the resources without building new facilities. It needs to be done on a case by case basis.

President Lindsay asked if a Recreation Commission collect fees and have a system of collecting those fees. Both John and Susan agreed that they could.

Clarence Droms asked how it can be insured that benefits are subdivided back equally or proportionally (to the municipalities) according to the pay?

John Penatzer said that the monies are proportioned according to the population.

John Hohman agreed, saying that the costs are proportionally born by each municipality, and that as a regional commission they can decide how to allocate funds.

President Lindsay asked Susan Abalee to address how revenue is produced from an activity, say in West Lampeter, with the participants coming from Strasburg.

Susan said that it could be done, that we would need to have a non-resident charge, that monies would go back at the same percentage as they come in, that it could be done that way.

Mayor Ryder said that all of these things are negotiable.

Dorisann Haug asked about the 5 million dollars estimated to be the cost for land acquisition, which is in the study, and if it had been figured in how to raise it.

Mayor Ryder asked if there was any obligation on the part of the municipalities to spend money, and it was agreed there was not.

John Hohman said that the Plan is a blueprint - a plan only. By adopting this Plan, there are no commitments. It is the next step, or really the one after that, that this sets the stage for the formation of the Recreation Commission. The actual numbers (in the budget) could actually be less than those given.

Mayor Ryder said that a lot of work can go into this without any commitments. He further advised that the Municipal Building land could not be dealt with without a plan.

Dorisann Haug asked what the primary advantage would be to the Borough.

John Hohman said that the primary advantage is that we will be involved in a public recreational program. The major benefit to the Borough would be that we could not do a lot on our own, that we could use facilities accessible by all residents. We will be able to maximize benefits without all the expenditures that would be involved.

Velma Lutz asked that if the Director applies for Grants, will the state say that they are out of phase (with the scheduled program)?

John Hohman said that the plan does not need to follow the plan verbatim; that there are a lot of variables and factors involved and DCA will not be that inflexible.

Dorisann Haug asked about the criteria for grants.

John Hohman said that the major concern is whether funding is available, in part, and whether we have facilities or not. They look at it on a need basis. L-S will score much higher as we have little public parkland now. Another asset is the regional focus. The relative lack of low income persons will be less of a factor than the need basis.

Susan Abalee said that in Lancaster County we have excellent examples of Recreation Commissions. The one in Ephrata has been in existence for over 50 years, the one in Lititz for over 47 years, and others in Hempfield, Elizabethtown, and Lancaster City as well. They have proven to work well in Lancaster County.

John Penatzer said that in Lititz they would not have the facility they have without the cooperation of the major players.

Dorisann Haug wondered about the school's proposed contribution of 10%, and how it was arrived at.

Velma Lutz questioned at what point in the process we would be able to formulate the "fees in lieu of".

John Penatzer wondered what we would have if we had amended the subdivision ordinance years ago.

Velma Lutz said it is too late for that but not too late for users fees.

Joe Coleman inquired about the 4% response rate that was cited, which was 288 persons, and asked that be addressed.

John Hohman advised there was 118, and 108 responses from the Borough and Township respectively.

Further discussion ensued about how statistically valid the survey actually was.

President Lindsay wondered if the contribution of the municipalities was based on population, and if it was negotiable.

John Hohman advised in the affirmative.

President Lindsay wondered that if the other municipalities could make use of a contribution, whether the Borough could also receive credit for land purchased for recreation.

John Penatzer suggested there was a need to negotiate with the operators of the J.C. Park for public access to it.

John Pratt said that he agrees with Mayor Ryder - that this is not an ordinance, but it is a plan, and that the discussion should be handled by a task force, to research it, and bring it back to the Borough Council. He believes we should be concerned with one thing - whether we should have a plan for parks and recreation or not. That is the question. Do we want one or not. If so, then we set up a task force, they do their job, and they come back to the Borough.

Susan Abalee said that the Task Force is the next step. You may need someone to help guide that process. John Penatzer agreed.

John Pratt said that the Borough Council would instruction that Task Force as to what is wanted.