

MANCHESTER BOROUGH COUNCIL

February 8, 2021

The Manchester Borough Council meeting was called to order by President Adam Bowman. Those attending the meeting were led in the Pledge of Allegiance. The following officials were present:

Wade Witt Larry Weirich Tom Brenner
Bruce Almoney Joseph Paniagua Mayor Patty Witt

The January 11, 2021 minutes were approved upon the motion of Wade Witt and seconded by Bruce Almoney. All agreed.

TREASURER'S REPORT – Jane Ahrens (given by Adam Bowman in Jane's absence)

The General Checking Account (M&T Bank) balance as of January 1, 2021 was \$159,620.42. Receipts for the month were \$24,797.97. Disbursements for the month of January were \$55,612.32 leaving a balance in the checking account of \$128,806.07 at the end of the month. The 1/31/21 balance in the Santander Money Market Account is \$453,689.35 reflecting \$38.53 in interest at a rate of .10%. The PLGIT Accounts were also reviewed for the month of January. Council approved the financial reports on the motion of Bruce Almoney and seconded by Wade Witt. All agreed.

Bills were reviewed for payment that totaled \$ 42,014.60 that were approved by Council, motioned by Bruce Almoney and seconded by Wade Witt. All agreed.

GUESTS

- James Smith - Maintenance
- Joe Stevens - He reported 22 calls/ \$2,000 loss for the month of January. He mentioned that they only have a few smoke detectors left in their program after they gave out a few this past month. He also mentioned that the firefighters completed their annual hazmat operations level recertification which is a federal mandate. The fire company's biggest over the winter fundraiser will be for Valentine's day. This will include a pound of steamed shrimp for \$10.00, a quart of shrimp bisque for \$10.00, a quart of Maryland crab soup for \$10.00, and two (2) NY strip steaks for \$10.00. Or there will be a sweetheart package available which is shrimp, one soup and two (2) NY strip steaks for \$30.00. It will be pre-ordered only and pick up will be on Thursday, February 11th. Lastly, he mentioned that they are well stocked on supplies for the pandemic and has not heard any new information from the state about vaccinations for the fire fighters.

MAYOR - Patricia Witt – no report for the month of January.

ENGINEER'S REPORT – John Rea

• **2020 CDBG Project – East Parkview St.** – final walk-thru with the YCPC was completed on Tuesday January 12th @ 10:00 am; everything looked good and there were no comments. He brought the Notice of Completion that requires Adam's signature. There is a punch list with it, and they will be installing the reflectors on the corner of the school that has the drop off to the inlet. Gingrich has them on order and will install as soon as he gets them but as of now there is no ship date. Also, there are two areas that needs some paving. There is still a little bit of a lip and next summer when they are doing paving in the area, they will go and put a little in and feather out the edge(s) and lay down grass seed where needed and then final grading. Besides those items everything is complete.

• **2020 Street Maintenance** – everything was done and closed at the last meeting.

• **2021 Street Maintenance** – Asked council if they have any requests or suggestions for what work they would like to see in the Borough. He said he will keep asking and will keep a running list and when the weather gets more decent, we can look into those areas mentioned.

• **Manhaven Manor Stormwater Repairs** – He mentioned that he did speak to Neil but was not reluctant enough to get an answer to the final grading in pond 1.

• **York County CDBG Program Applications for 2021, 2022 and 2023** – Joiann confirmed that the CDBG usually caps projects under \$100K. Project scope and fees were revised and sent to the secretary for inclusion in the application. A total of six (6) ramps were removed from Manchester and East Parkview Streets. Depending on where the bidding comes in and we receive good numbers like we did for the East Parkview project we can add some back in. The application was submitted in time before the January 15th deadline.

• **Roadway Restrictions** – The topic was skipped over by John Rea because he knew that the solicitor had things to discuss about it.

• **Manchester Street – NEYCSA** – The road is open, and sewer work is complete. It is paved with a temporary pavement that will sit until paving season in which the contractor who is still under contract will come in and do the final paving. During the work, the contractor identified a substantial amount of ground water under Manchester St. The sewer had some part in it but there are some underground springs that are following that roadway. Some discussion was made on possible joint Borough/Sewer Authority project to install some underdrain (French drain) to relieve the groundwater into the stream. The Sewer Authority would share cost the project. Their initial idea was since they already have a contractor coming in to do paving if the Borough would pay for the contractor to install the French drain (which includes the excavation, pipe, and stone) the authority would add the additional paving that would be required to restore that area as well to their contract when they come through and pave. It will hopefully benefit the Borough by making the road last a little longer and if it does get bumpy again it will not be pointed to the sewer authority to come back out and fix it. He asked the council for their thoughts on this matter. Per Adam, he feels it should be done at risk of the road collapsing again. John Rea suggested that council along with himself should go out and decide where they would like to place

the drain. He also mentioned that there is a 48" concrete pipe under that is in good shape, but it has settled a little bit making some of the connections come apart. And there is currently a 12" metal pipe that is old and abandoned that comes into the side of the concrete pipe under the roadway. One idea is to remove the old pipe and replace it with a plastic pipe and seal it off and have it act as a French drain on the uphill side of the creek. It should not be that expensive to have a contractor install considering that we may utilize the existing pipe and since we already have a contractor working on it, we can get a quote from him directly and rather quickly. If we decide to place the drain elsewhere it will not be difficult, it will involve getting a DEP permit for a new discharge point, an application, the engineering, and any of the exhibits that would be required to go with it (approx. \$1,500 – 2,000). After some discussion, council is willing to look at it and willing to do something about it if we can come up with a good plan. Wade then questioned John Rea about something in the sewer minutes about holding the Borough responsible for a bank if it collapses during construction and photos will be taken before and after in case anything happens. Per solicitor, if the contractor ruins the wall, we will not take responsibility. Per John Rea, the contractor only took the pictures for before and after for their records, so they have a history in case anything happens or gets worse and he said he assures us that the way it is worded in the minutes was not how the discussion went.

- **NEYCSA Chapter 94 Report** - Connection restrictions – NEYCSA has submitted a corrective action plan for the organic overload. DEP has accepted the plans and the sewer authority is implementing the plan. We are to continue to notify CSD of any new building permit requests that will require sewer EDU's.

- **Manhaven Manor Inlet- 455 Crossing Way** – No update for February

- **MS4** – January was halfway through the 2020-2021 report year. He asked council if they came up with a potential date for training since it was discussed at last month's meeting. It was decided to be held on Thursday, March 18th @ 7:00 pm.

- **Crosswalks at the Square** – The I83 Interchange group has met and the George St/Maple St intersection is on the cut list but has not been technically "cut" yet from the I83 Exit 24/28 study. It is recommended it to be removed but instead be reviewed by Countywide Systematic Improvements group as safety/congestion concern. They have identified that something needs to happen there, but they are not going to pay for it with the funding from the I83 Interchange project. But that does not give us a good answer as to a timeline or if it ever is going to happen to know whether the Borough should spend the money on putting in a crosswalk and how long it will be good for. John Rea wants to get in touch with Will Clark and see if he has any input in regards to this and as to where the committee stands on this.

- **Manhaven Manor Inlet- 455 Crossing Way** – No update for February

- **School and permit/fees** – The school is own so there is no discussion on what the school will owe, John Rea suggested to council that we should take a look at the fee schedule and the way the Borough's ordinance identifies permit fees because it is not certain as to how long ago, they were established or modified. Per solicitor, since we are working on the food truck ordinance and if it passes, we will need to add this to the schedule anyways so it will be a good time to look into this as well. John Rea mentioned one thing he would recommend is addressing one problem he runs into with lots of municipalities is that they really do not acknowledge the fact for a commercial property and our ordinance is set up very much for a residential property, which by and large is 99% of the Borough so that makes sense. But

when someone like the school comes in with a \$20 million project that fee schedule does not quite address what they are doing. So, he recommends what we have for residential might be alright, but we just take a look at the fees and make sure they reflect 2021 costs. And he strongly suggests that we add/alter a business/commercial side to the fee structure because we do have some sizeable business/commercial properties in the Borough. So, it is best that we get something that works and then the rules are the same for everyone.

SOLICITOR'S REPORT – John Baranski

- He asked if there were any revisions or changes to be made with the food truck ordinance and if not, he will bring a revised copy to the next council meeting. He also mentioned that he will bring the no trucks sign ordinance to next month's meeting that are in reference to Cooper, High and Manchester Streets. He also asked about the garage that was operating on Center Alley and if the activity had stopped. Per Mayor, as of now yes and she is continuing to watch it. Adam asked the solicitor if he will look into the degradation ordinance and the fee schedule, per solicitor he will and bring them to next meeting.

MISCELLANEOUS

- Council held two executive sessions in January. One was on Monday the 18th from 9:30 am to 10:00 am and the other was on Friday the 29th from 6:30 pm to 7:00 pm, both meetings were to discuss personnel.

- Adam asked John Rea if he looked into the money, we owe to the York Consortium. Per John Rea, that that is essentially the Borough's "check box" to meeting the Chesapeake Bay Pollution Reduction Plan requirement that the Borough has. So, if the Borough does not pay the bill, we default on our involvement in the group in which they could take legal action against the Borough if they so choose to and the Borough would be on the hook to then pull together our own Chesapeake Bay Pollution Reduction Plan and do our own project to meet the reductions that the Borough would have to show what that plan establishes. He strongly recommends us to keep continuing to pay it until it comes up with another five-year cycle and then have a much more in-depth strong conversation when that next cycle comes out and discuss what the Borough wants to do whether it is by doing something ourselves or continue to be a part of this group should it continue to move forward. But for now, he strongly recommends that we pay the bill.

- Wade questioned the solicitor about the flag and/or sign in the Borough and what we should tell people if they ask, per solicitor - his office's legal research found that there is nothing we can do, it is protected under the 1st amendment right to have freedom of speech and they cannot be taken down.

- Fire Chief Joe Stevens asked about the York Street road closure due to Columbia Gas and how it closed almost every day and they are not notified, and it makes it more difficult for them to enter and/or exit the building. Per Mayor, they are putting in new pipes and it starts on York Street, down Harding Street and then on to Boundary Avenue and then finally end up on Liverpool Street. Wade mentioned that they asked to park their equipment at the park to help save some time. He then said that High Street

recently replaced their gas lines and was repaved, but now there is a customer at 208 High Street who does not use gas and they will be coming back out to tear up the road to remove the gas line. Per John Rea, he said that our degradation ordinance was also a bit dated and thanks to this instance it should specify that on a brand-new paved street no one can come in and cut it up for a certain number of years unless it was an emergency. Per Adam, secretary is to call Columbia Gas telling them no they do not have permission to dig up the road unless they have a good reason to do so.

- There will be an Intermunicipal meeting for the Sewer Authority will be held Tuesday February 23rd at 1PM if anyone from council would like to attend.
- Adam gave the okay to have Jason from The Refill Station to come in and install the antivirus/firewall and cloud back up.
- The phone system was brought up and how there is a lot of static in the lines. Adam mentioned that he will get a new phone for Jane's desk and since he is doing this, he will replace the others as well. Wade asked if we could look into getting a new phone system that way any calls regarding maintenance could be directly transferred to them, Adam agreed.
- Adam mentioned about the rec center parking lot and what agreement we had with them in regard to cleaning it up after they are done with it. Per Wade there was no agreement, and they were only to park a truck and a pipe trailer there and to keep everything to the backside of the lot. Now they have a backhoe, mini excavator and everything is ripped up. They have also moved our trash bin as well as placed rock, asphalt, and sand in the parking lot. Mayor spoke with a gentleman there and he said she will have to call his company. They are subcontracted out by the gas company and it is called Infrasource Inc. She has been calling them, but they are not answering the phone. She said she will call the gas company tomorrow (2/9) to make them aware of this and have them fix the situation. Per solicitor, he wants names (names on the trucks etc.) either via email or text for his records and because this is unacceptable. Also, it was suggested by Tom to have someone go there and take pictures.
- The Borough received the Vegetation Management Service Proposal and Agreement from Ehrlich. They were the ones who sprayed around the pond at Dauberton and they would like to continue doing that. It will cost \$795.00. It was Adam's recommendation that we do it every year. Wade made a motion to approve it, it was seconded by Joseph Paniagua. All agreed.
- Adam mentioned that we have some roof damage as far as spouting above the bays in the garage due to the snow. And some of the roof is leaking inside the middle bay. He said we will need to get someone out here and hopefully it should be considered an insurance claim. As far as other maintenance, the truck needed a new V box (or new tail) They also replaced the batteries in trucks #1 & #4.
- Snow removal was discussed by Adam and how people are throwing the snow into the street after the plows have gone through. He would like to start being able to fine the people. Per Mayor, there is an ordinance for residents not being allowed to throw their snow into the street. Per solicitor, Ordinance # 126-27 snow on street in any violation of this article for any property holder to throw, blow, push, plow or otherwise place snow or ice on the streets of the Borough is subject to a \$500.00 fine. He also mentioned that our police department can enforce the ordinance and write them a citation, or we can take them to the magistrate, so we have options. Adam suggested putting dash cams in the trucks in order to prevent any conflicts on who was responsible for the snow being put in the road after it has

been plowed. Per John Rea, we should take pictures before we clean so that way if there are any discrepancies it can be shown to the district magistrate if needed. Mayor said if it is a first-time offense it would most likely be thrown out. There needs to be a log of any correspondence and/or any pictures before he will take any action.

- Wade discussed the website. He called and spoke to a technician and they said that they do not web host and we are currently still paying the \$149/year web hosting fee and we are their only customer. It is his suggestion that we go directly to one of the hosting companies that cost roughly between \$50-75 a year depending on where we go, and we then have complete control of our own website. Both Adam and solicitor agreed that we should do this.

- Wade brought up that there were several replies in regard to the treasurer's position. Adam will review the resumes. He also knows that people may be feeling concerned that this might happen again, so he is not opposed to looking for another individual if they are qualified. The solicitor questioned whether Jane would be willing to help train the individual. Adam said he will discuss it with Jane. He feels that she should not be opposed to it, but Adam said he would not speak on her behalf.

A motion to adjourn at 8:30 pm was made by Tom Brenner and seconded by Bruce Almoney. All agreed.

Respectfully Submitted,

Mari Strayer