

MANCHESTER BOROUGH COUNCIL

May 10, 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 Patricia Witt

The April 12, 2021, minutes were approved upon the motion of Wade Witt and seconded by Bruce Almoney. All agreed.

TREASURER'S REPORT – Jane Ahrens

The General Checking Account (M&T Bank) balance as of April 1, 2021, was \$133,651.17. Receipts for the month were \$84,153.10. Disbursements for the month of April were \$59,805.54 leaving a balance in the checking account of \$157,998.73 at the end of the month. The 4/30/21 balance in the Santander Money Market Account is \$453,781.34 reflecting \$18.65 in interest, at a rate of .10%. The PLGIT Accounts were also reviewed for the month of April. 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 \$61,721.92 was approved by Council, motioned by Bruce Almoney and seconded by Wade Witt. All agreed.

GUESTS

- Gary Cardasso and James Smith – Maintenance
- Rachael Gromling and her daughter, Kim Perone.
- Joe Stevens, Fire Chief - Reported that for the month of April there were 28 calls, no loss/injury. He mentioned that eighteen (18) members of Union underwent a bi-annual Structural Burn Training at the York County Fire School. This session is a company level training offered every spring and fall to keep the firefighters updated, review vital evolutions and train on the latest fire suppression, search, and rescue techniques. Also, twenty (20) members participated in a surprise virtual mass shooting drill. The drill ran concurrent with an actual mass shooting in Texas, as it was happening. The drill is an attempt to better prepare our members in the likelihood of such an event and allows our officers to evaluate available resources in a real-time scenario. They are planning additional training and surprise drills in the future. Lastly, Saturday, May 22 is the rib BBQ and there are still pre-sale tickets available for purchase.

MAYOR - Patricia Witt

- She wanted to discuss the permit fees for the school with council because the permit fee from Commonwealth Code for the plumbing came back higher than the Borough's permit fee and questioned what we are to do since this makes us liable for the difference and we are losing money. It was mentioned by the solicitor that we could change our fees, but then we need to write up a whole new ordinance that sections everything out. It was decided that we will not do anything just yet with the fee schedule.
- She wanted to address that the maintenance employees need to always wear their eye protection when required.
- She wanted to make council aware that the gentleman on Center Alley is running his garage again even after he received a cease-and-desist letter months ago. Per solicitor, if council agrees he is suggesting that no more warning letters be issued and write up a complaint and he and the mayor will go directly to the magistrate. All agreed.
- She then mentioned that we have not discussed the police merger lately and that it is almost time to decide if we want sign or not sign the contract charter and wanted to know where council stood on this. Per Adam, he mentioned that we have not yet received a charter draft to review but thinks that when we do, we buy a reasonable amount (somewhere like we are paying now) and then see where we go from that. The mayor continued to mention that they will give us a recommendation on what they think we will need, and it is up to us to decide what we want. We are not held to a certain amount of PPU's. Per Adam, he said it will be a matter of time before we can no longer afford the Northeastern Regional Police because the cost keeps going up and as of the end of next year we are no longer under contract and not obligated to any police department. We can then move on and go anywhere we want. Per solicitor, if we are spending \$400,000.00/year now on police services (based on our budget) we can say that under the new contract we can only afford and will take \$400,000 worth of police protection and whatever that gets us, we will have to take. And since the Township is only paying 70% and that both Borough's need to pay the difference, we either need to raise our taxes (income side) or reduce our services. Adam said that we will always continue to have 24/7 coverage in the Borough, but it will just be billed accordingly the next month unless we go another route.
- She wanted to let council know of a complaint(s) on Sunset Drive. The resident wants a speed limit sign posted because of speeding on the road. The resident has also called PennDOT and had them move the sign for 921 up a little farther because large trucks would use that road and they would knock over mailboxes, etc. The mayor has discussed this issue with Gary, and we will have to look at where on that street we are able to put up a sign.
- Lastly, she discussed the gentleman who lives on N Main Street, who is a trash collector, and how his collection is now extending from his front porch and all the way past his backyard fence into Gross Avenue. She did send him a letter on April 15th giving him thirty (30) days to clear up everything outside of the fence. He then proceeded to move everything to one side but not fully removed. Per Adam, since this has been an ongoing problem for years, he wants the solicitor to start fining him. Also, she mentioned that there is another potential junkman in the Borough who lives on Hemlock Court who she has reached out to about it and will continue to watch. She then said that she will give the solicitor all her information that she has for both gentlemen.

- **229 S Main St (Debbie's Pizza)** – Developer was in touch requesting assistance with the Borough's rules/regulations on LD, stormwater, and zoning processes. A sketch was provided to council for general information. Likely to submit sketch plan for review and attendance at June's planning commission meeting. This is yet to be confirmed.

- **Ordinance Review & Updates –**

- 1) **Degradation Ordinance:** No update for May.

- 2) **Zoning (building) Permit:** He will type up the few minor comments and suggestions he has and send them to council for review. And as for the fee schedule, he wants to review the Borough's contract with Commonwealth Code and set minimum fees. He will have draft documents prepared for June's meeting. Per solicitor, before we issue any Certificate of Occupancy, we need to make sure everyone has paid, and that the Borough does not receive a bill and should never lose money. And since we owe Commonwealth Code for the plumbing permit, we are to bill Northeastern School District and have them pay the difference. This is referenced in Manchester Borough's Resolution-2007 which obligates them to pay.

SOLICITOR'S REPORT – John Baranski

- The "No truck's over 30ft" Ordinance was finalized and handed out for review. He is asking council for a motion to advertise Ordinance 2021-3. A motion was made by Wade Witt and seconded by Joseph Paniagua. All agreed.

- He wanted to discuss the NEYCSA Intermunicipal Agreement because the existing agreement has expired at the end of April and basically it gives the Authority the same powers as they do now (i.e., run the plant, in charge of the repairs and restoration and/or expansion of the existing sewer lines, the right to enter into contracts and the right to borrow money/refinance for the next ten (10) years.) Although he wants to make council aware of several things written in this draft. On page 4, Paragraph C it was worded that it gives the right of the Authority to create additional districts in the event that there is a large construction project or expansion of the sewer facilities in a particular municipality and just like it happened before there were some expansion projects in the Township and there was a separate district created and that district had a surcharge for several years, so those residents paid a higher amount. This paragraph C will allow the Authority to do the exact same thing with the consent of the municipalities to create a surcharge for those construction projects. So, if there is a project in the Township that the Sewer Authority proposes to create a separate district that has a surcharge because that expansion or renovation only benefits the Township, they (the Township) can veto that surcharge for that separate district, so that is what that means by "with the consent of the municipalities where the project will take place." Per solicitor, he thinks that the Township wanted it written that way and that they have the consent to agree to the surcharge if the Sewer Authority is doing this to them. He wanted to call this to our attention so if that if the Sewer Authority has a new project in the Township and their residents will have a surcharge for so many years that will solely benefit the Township, under this Paragraph C Page 4, the Township can say we do not give our consent to that surcharge and if they do not consent to this then everyone will have to pay for it. He said this is a concern to him and wanted to point that out. But also wanted to let us know that this provision applies to us as well and that it is not just a protectant to the Township but to all who sign the agreement. Lastly, on Page 6, Paragraph 17 last sentence, Mt Wolf is asking for a unanimous vote rather than a 2 to 1 vote to terminate the agreement, our solicitor agrees

ENGINEER'S REPORT – John Rea

• **2021 Street Maintenance –**

- Mentioned that after he received council's comments, he drove around the areas that they mentioned and found some potholes and pulled together two (2) requests for proposal. The one is for patching and base repair. He said that there is a small pothole on Cherry Avenue, a small one on Mason Avenue and a sizeable chunk of missing edge of roadway on the very beginning of Cemetery Road. Altogether it is about 10 sq yards. He is hoping that this will be less than \$11,500 and we would not need three (3) quotes. He is asking council if it is alright to just give this one to Gingrich pending that we get a decent price. All agreed.
- The crack sealing contract, trying to stay under the \$21,300 limit. There is a list of streets and alleys in the Borough and the contractor will complete them in the order that they are listed. He said that they will send this out to about to four or five contractors and hopefully receive at least three (3) back and choose the best quote.

• **Roadway Restrictions** – The solicitor has the ordinance for this and will be discussed during the solicitor's report.

• **Crosswalks at the Square** – Based on the discussion at April's meeting, work will be done contingent on CDBG funding and schedule. It is to be determined but looking to be around 2023.

• **Mt. Wolf Village Apartments** – At council's request, CSD sent two (2) letters; one to the developer and one to Gordon Brown (Mt Wolf's EOR) copies of the letter were given to the Borough secretary for record.

• **York County CDBG Program Applications for 2021, 2022 and 2023** – Schedule of projects has been posted. Main Street work was slated for year three (3) – 2023.

• **Manchester Street – NEYCSA** – Sketch plan of proposed work was provided to council. A quote was received by Iron Eagle Excavating but came in at \$13,000 which is \$1,500 over the limit. Council asked for two (2) more quotes and will then address this at next month's meeting.

• **MS4** – He said that Jess provided a link to the items discussed at the MS4 meeting in March and wanted to know if Wade was able to access them. After some discussion it was established that Wade was not able access all of it and he will look into this and hopefully have this resolved by next month's meeting.

• **NEYCSA Chapter 94 Report** – We are to continue to notify CSD of any new building permit requests that will require sewer EDU's.

• **2019/2020 CDBG Project – East Parkview St.** – Gingrich has a punch list to complete this spring, 2021. Yards have been raked out and topsoil has been added as well as seeded. Also, the reflectors for the high edge of the sidewalk there by the school are still on backorder.

• **Manhaven Manor Stormwater Repairs** – Bruce from Gingrich's is aware and is watching the weather and it is on the schedule. He also mentioned that they seeded the resident's yard on Circle Drive.

• **Manhaven Manor Inlet- 455 Crossing Way** – Borough maintenance completed the work prior to April's meeting. The project is now closed and will be removed by next month's meeting.

that we should go along with that change and thinks that everyone should be on board in terms of agreeing. He then said that council does not have to agree on this tonight and can wait until we are comfortable with making a motion to sign it. He said he will go back and discuss our questions and concerns with the other two solicitors and our decision to push back to next month in order to get more clarity if that is what council wants. It was voted upon that it should be pushed back and council agrees, all except for Larry Weirich who was undecided and Wayne Bush, who was absent. It was then tabled and put on next month's meeting agenda.

MISCELLANEOUS

- Gary wanted to discuss Harding Street and how Columbia Gas is resurfacing everything except for 300 square yards of that road because they did not work on that particular section. So, he spoke with Stewart & Tate, and they offered to mill and overlay (blacktop) that area for \$8,850.00 (\$29.50/sq. yard) It will start mid-block about 75' into the street, then it will stop and go through the alley that intersects there (Boundary Ave) and then 50' past the intersection it will pick up again. He also mentioned that they will be replacing all the sidewalks from Harding Street and back towards the square as well as removing the grass strip there. This would be covered under liquid fuels, and he is asking council for a motion to approve having Stewart & Tate do this project. A motion was made by Bruce Almoney and seconded by Wade Witt. All agreed.
- Next, Gary mentioned that during last week's storm the lights at the square went out and he had to place a call to the fire company for the generators but as soon as he did, they received a fire call but kept the one truck to provide the generators to the Borough. He is asking council if they want to continue asking the fire station or get generators of our own and do it independently in case, they are out on a call, and we cannot access them. After some discussion it was decided to get two (2) generators that cost \$433.00 each. A motion was made by Wade Witt and seconded by Bruce Almoney. All agreed.
- He also mentioned that he talked with Manchester Township about street sweeping. Their machine is still down and they trying to get a new one. So, he is to call them back on or around the 24th of this month. At this point it is looking like it will be mid-June for street sweeping in the Borough. He then mentioned that they repaired all the yards that were damaged during the winter.
- Wade mentioned that one of the Lion's Club members asked him why Harding Street is a snow emergency route. Gary said it is that way so that they can do an efficient job of plowing and clean from curb to curb.
- Lastly, the mayor mentioned that the secretary has sent out the yearly one-page Borough newsletter. She also included some new things in reference to leaf pick up and snowplowing.

A motion to adjourn at 8:45 PM was made by Tom Brenner and seconded by Larry Weirich. All agreed.

Respectfully Submitted,

Mari Strayer