

BOROUGH COUNCIL MINUTES

MARCH 10, 2014

CALL TO ORDER

Council President James Collins II called the March 10, 2014 Borough Council meeting to order at 7:00 p.m. Council members stood and recited the Pledge of Allegiance to the flag.

MEMBERS PRESENT

James Collins II, Matt Hockley, Deborah Halpin-Brophy, Lois Stoner, Pam Still, Leroy "Cork" Shildt, Ed Kendall, Borough Secretary/Treasurer Cheryl D. Smith, Solicitor Mike Scherer and Mayor P. Scott Boise

APPROVAL FOR PAYMENT OF BILLS

Deborah Brophy made a motion to approve payment of the bills. The motion was seconded by Lois Stoner. Motion passed unanimously.

APPROVAL OF COUNCIL MINUTES FEBRUARY 10, 2014 AND FEBRUARY 27, 2014 COMMITTEE MEETING

Deborah Brophy made a motion to approve the Borough Council minutes of February 10, 2014 and February 27, 2014 Committee Meeting. The motion was seconded by Ed Kendall. Motion passed unanimously.

PUBLIC OPINION SESSION

Bryan Gembusia, 7 Woodview Drive, Mt. Holly Springs stated he was running for the 193rd legislative district. Mr. Gembusia filed his petition last Wednesday. He thanked everyone who signed his petition and as a member of the community it is quite an honor to get the opportunity to run for this office.

SOLCITOR'S REPORT No report

*******COMMITTEE REPORTS*******

HEALTH, SAFETY & WELFARE

Deborah Brophy requested an executive session for a personnel matter.

Chief Tom Day introduced the new officer, Rachel Krupko, Ethan Helwig and Brandon Richie. Council welcomed the new officers.

Mayor's Report-Scott Boise presented a Proclamation making March DeMolay month.

ADMINISTRATIVE, FINANCE & BUDGET No report

WCOG Report-Pam Still reported there is a major change in the Pennsylvania Dirt and Gravel road program. They are accepting low volume roads (500 cars or less per day) in the plan and the County has been allocated money. One requirement is someone has to attend a two day seminar. They are saying if there is local interest they would try to get one of these seminars for the Carlisle area. The funds will be available in 2015.

Pam Still reported they are looking for volunteers for Court Appointed Special Advocates. This information would be in the Borough Office. These volunteers would be working with kids that have been in trouble.

Pam Still reported if a resident has a complaint about their electric bill, they should contact the Attorney General's office.

Pam Still reported the liquid fuel checks have been issued.

Jim Collins reported the Borough received notification of a seminar to be held in Dauphin County April 2, 2014 on the open records act and records management disaster plan. The cost is \$75.00.

PUBLIC WORKS

Cork Shildt reported the Borough received a letter from district executive from PennDot. Based on the request for traffic engineering and safety study on 34 & 94 intersection and as a result additional signing and paving marking would be installed at the intersection but if the Borough wants a blinking light, the Borough would have to forgo the cost.

Cork Shildt reported the Borough received the estimate to replace the pole at Mill and Baltimore Avenue. To replace the pole is \$8500 and if the pole is moved the cost would be \$28,890.

PLANNING & ZONING

Pam Still reported Chairman of Planning & Zoning is Steve Blair; Vice Chairman, Richard Leatham; Secretary Linda Naugle and County has assigned Steve Hoffman to work with the Borough on the ordinances. Planning & Zoning started with Residential 1 and Residential 2 and then go on to Village 1 and Residential limited.

PARK & RECREATION

Lois Stoner reported Park & Rec would be finalizing plans for the concert and talking about the permit for the pavilion. Cork Shildt asked Mrs. Stoner who would be at the concert at the park. Mrs. Stoner replied Randy Simpson and Danny Figins, the singing policeman.

SHADE TREE COMMISSION No report

ANY OTHER BUSINESS FOR COUNCIL

Pam Still wanted to remind everyone of the Community Walking Audit on April 5th at 8:45-1:00. Participants would be meeting at the fire hall. The first hour would be a history of Mt. Holly given by Mayor Boise and presentations by Heather Strassberger and Chris Gulota. There would also be a collection of Mt. Holly memorabilia. Heather Strassberger, the transportation engineer would lead the audit and will be giving a presentation. Chris Gulota would also be giving a presentation and then they would go out on their 1 ¼ mile walk. There would be a rest stop at the library and then back to the fire hall for pizza and subs from Italian Taxi. Heather would be at the May 12th Council meeting with all of her findings. The rain date is April 12th.

Jim Collins recessed the meeting to go into executive session with action to be taken afterward.

Jim Collins called the March 10, 2014 meeting back to order.

Deborah Brophy made a motion to set aside a page in the minute book for Ross Richwine Jr. who at one time was on the Borough Authority. The motion was seconded by Matt Hockley. Motion passed unanimously.

Cork Shildt made a motion to accept the resignation and disability retirement of Troy Wiser. The motion was seconded by Deb Brophy. Motion passed unanimously.

Deb Brophy made a motion to accept the resignation of Officer Jason Beltz for personal reasons. The motion was seconded by Cork Shildt. Motion passed unanimously.

Deb Brophy made a motion to dissolve the police contract. The motion was seconded by Lois Stoner. Motion passed unanimously.

Lois Stoner made a motion to make Chief Day a full-time Police Chief at a rate of \$25.62 per hour. The motion was seconded by Ed Kendall. Motion passed with Matt Hockley abstaining from the vote.

Deb Brophy made a motion to hire Brandon Richie as a third part-time patrol officer at a rate of \$18.00 per hour. The motion was seconded by Cork Shildt. Motion passed unanimously.

Deb Brophy made a motion to raise the part-time pay rate for officers to \$18.00 per hour. The motion was seconded by Lois Stoner. Motion passed unanimously.

Deb Brophy made a motion accept the contract for full-time Police Chief Tom Day. The motion was seconded by Cork Shildt. Motion passed with Matt Hockley abstaining from the vote.

This page has been set aside in memory of Ross Richwine Jr.

OTHER BUSINESS FOR COUNCIL

Cork Shildt recused himself from Council.

Cork Shildt, 2 Orange Street, Mt. Holly Springs asked Council where the situation is pertaining to 6 C Orange Street as far as them not having a proper setback on their property. Mike Scherer stated he sent a letter to the property owner's attorney and the attorney asked Mr. Scherer and asked him for a reference to where this Council's ordinances are on line. Mr. Scherer stated it left off with that attorney wanting to come to the Borough to investigate the ordinances that may be applicable to this situation. Cork Shildt indicated they need to get back to the proper setbacks and he and his attorney needs to be aware of that. Mr. Scherer stated Council could insist that the quick claim deed be rescinded and that he re-gains the rights to the property to the center of that easement and things would be way they were before the quick claim deed.

Mr. Scherer indicated if Council were to allocate money for him to pursue that course of action that first of all, the outcome would be uncertain and seconded things would not look any different than they do today. Mr. Shildt stated you cannot have a property that does not have the proper setbacks whenever his plans called for those setbacks and he is not in compliance. Mr. Shildt indicated he needs to be told that he has to go back and rescind the quick claim.

Ed Kendall stated he thought Council had a discussion and there was no recourse. Mr. Scherer indicated it is a question of what you would gain by it.

Jim Collins stated to have the quick claim declared null and void would eliminate that and the property line would automatically go back to what it was. Mr. Collins added it should be his cost to re-do it and being notified of that and given a time limit that if he doesn't, then the Borough does it and put a lien on the property. Mr. Scherer indicated he does not think there is a basis for a lien. Mr. Scherer suggested serving him with an enforcement notice and then if he disregards the notice, then the Borough would have to go before a County judge who is going to look at the merits of the case and then the judge would have to decide whether he or she would issue an order that says that deed is null and void. The judge might also say the Borough should have required a deed of consolidation when the plan was approved stating the Borough did not do what it was supposed to do.

Matt Hockley stated the Borough is setting a bad president if the codes are not enforced.

Ed Kendall made a motion to have Mr. Scherer send a letter to Jim Slyder's attorney's on the quick claim. The motion was seconded by Deb Brophy. Motion passed unanimously.

Cork Shildt returned to his Council seat.

ADJOURN

Cork Shildt made a motion to adjourn the March 10, 2014 Borough Council meeting. The motion was seconded by Ed Kendall. Motion passed unanimously.

Respectfully submitted,

Cheryl D. Smith
Borough Secretary/Treasurer

Transcribed by:

Pat Fisher
Utility Billing Clerk