

BOROUGH COUNCIL MINUTES

APRIL 14, 2014

CALL TO ORDER

Council President James Collins II called the April 14, 2014 Borough Council meeting to order at 7:00 p.m. Council 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

Deb Brophy made a motion to approve payment of the bills. The motion was seconded by Ed Kendall. Motion passed unanimously.

APPROVAL OF COUNCIL MINUTES-MARCH 10, 2014

Lois Stoner made a motion to approve the Borough Council minutes of March 10, 2014. The motion was seconded by Ed Kendall. Motion passed unanimously.

PUBLIC OPINION SESSION

Kathryn Rynard, 101 Mooreland Avenue, Mt. Holly Springs read a letter to Council on some of the property problems of Mt. Holly and some solutions to the problems. Council thanked Mrs. Rynard for her input. (Mrs. Rynard's letter is part of these minutes attached)

Doug Shields, 700 Mispaugh Drive, Shippensburg and Vice President of Yellow Breeches EMS stated Yellow Breeches EMS is trying to get involved in the community and give back to the community. Mr. Shields indicated if YBEMS could do something for the Borough they would be glad to help. Mr. Shields presented the Yellow Beeches EMS quarterly report and reviewed it with Council.

Shawna Scherer, 391 Limestone Road, Carlisle and representative of Furry Friends presented information on what Furry Friends does and how they are involved with Mt. Holly Springs. Furry Friends has been helping some of the residents with TNR (Trap, Neuter, and Return). They have been working with Mary Slyder since 2012. Furry Friends has received donations from the American Legion Auxiliary, Sons of the American Legion and Whimsical Poppy held a raffle at their open house.

Pam Still if any organization donates money to The Furry Friends Network, it is a 501C and if your want it to stay local, you must write on the check it is for Mt. Holly Springs Cats.

Pam Still indicated there still may be some cats running around but if they have their left ear clipped, they are neutered.

Ms. Scherer reported Mt. Holly residents donated over \$500 the end 2012 going into 2013 to have the first 24 cats neutered.

Council thanked Shawna for the presentation and information.

SOLICITOR'S REPORT

Mike Scherer reported he had written to Mr. Slyder's attorney on the land development plan for the townhouse matter on Orange Street. Mr. Scherer had never received a detailed response and he wrote to him again last month after directed by Council to do so and received a letter on this date from Mr. Slyder's attorney. Mr. Scherer read the letter from Hubert X. Gilroy, Mr. Slyder's attorney as follows: "Following up on your prior correspondence and our discussions, I reaffirm our position that the action taken by Mr. & Mrs. Slyder to convey the 8' wide right-of-way area to their neighbors, the Papamarkakises, is not in violation of any Plans that are approved. I note that the existing litigation involving the Shildts and the Whites in their Claim against the Slyders and the Papamarkakises is not changed whatsoever and none of the parties are put at any further advantage or disadvantage by the actions taken by the Slyders in this matter. Whether the Shildts and the Whites have a valid claim to access to their properties over this area of ground is not in any way impacted by the conveyance made by the Slyders to Mr. & Mrs. Papamarkakises. Accordingly, if the Borough is being encouraged to pursue this matter by the Shildts or the Whites, I question why the Borough would want to become embroiled in a potential zoning litigation or, possibly, the current pending litigation between the Shildts/Whites vs. Slyders/Papamarkakises. Unfortunately, the litigation involving these neighbors seems to be dragging out. My sense is that all of these issues will die down once that litigation is resolved one way or another".

Jim Collins asked Mr. Scherer what were the options of the Borough. Mr. Scherer stated the Borough could sit tight and see if these issues die down or the Borough could direct the Zoning Officer to issue an enforcement notice that states the existing development is not in conformance with the plan that was not approved. Jim Collins asked Mr. Scherer if he would be willing to assist the Zoning Officer in proper wording with the enforcement notice. Mr. Scherer indicated yes.

Deborah Brophy made a motion to have the Zoning Officer present the Slyders and Papamarkakises a notice of violation for the transfer of the property and that it does not conform to existing submitted plans. The motion was seconded by Lois Stoner. Motion passed with Mr. Shildt recusing himself from the vote.

Jim Collins stated to Mr. Scherer if he would ask Denny Russell to make sure Mrs. Henninger is following up on the situation.

Mr. Scherer informed Borough Council that Shawna Scherer is his sister-in-law.

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

HEALTH, SAFETY & WELARE

Deborah Brophy asked for an executive session for personnel and possible litigation.

Mayor's Report-Scott Boise had no report. Chief Tom Day reported the new Officers were recently certified in both Enrade and Stopwatch Speed Enforcement. They have been out trying to slow motorists down on Yates Street and Mill Street coming into the Borough. The Officers have been writing citations for the violation. Chief Day also reported coming up in May they would start the seat belt grant in which there would be extensive traffic enforcement to not only to enforce traffic violations, but a secondary for the seat belt violations.

ADMINISTRATIVE, FINANCE & BUDGET No report

WCOG Report-Pam Still reported the dog warden is canvasses Cumberland County March and April. He is looking for current licenses and rabies vaccinations for dogs three months and older. The fees are \$4.45 to \$8.45 for the licenses. Licenses may be purchased at the Mt. Holly Springs Pharmacy. Ms. Still indicated if not licensed or vaccinated the fine is \$300.

Pam Still reported the Cumberland County Commissioners proclaimed April as Child Abuse Prevention month.

Pam Still reported two more 911 Officers have been inducted into the Stork Club.

Pam Still reported Cumberland County continues to demonstrate strong financial performance.

Pam Still reported on the West Nile Virus program which is handled by Vector Control. Ms. Still stated if there is any water in which mosquito's larva breed it is hereby declared a public nuisance and subject to abatement as such.

Cork Shildt asked Ms. Still if anything was brought up about spraying the federally protected wetlands. Ms. Still reported no one was present from Vector Control but they did talk about spraying for gypsy moths.

PUBLIC WORKS

Cork Shildt made a motion to accept the bid of Wilson Paving for street sweeping the week of April 21st through April 25th at a cost of \$110.00 per hour. The motion was seconded by Deb Brophy. Motion passed unanimously.

PLANNING & ZONING

Pam Still reported in November 26, 2013 the planning minutes stated there was a property maintenance code discussion. Greg Hair, who was the liaison at the time, brought the wishes of Council to discuss adopting a property maintenance code for the Borough. The next meeting was December 17, 2013. The minutes stated Greg Hair was absent and the maintenance code was limited to the question did Borough Council kick it back to the Committee or was it just

being discussed at Council in generality. The Commission would wait for further instructions from the next liaison or the Solicitor.

Pam Still made a motion for the Planning Commission to re-visit a property maintenance code for the Borough. The motion was seconded by Cork Shildt. Ed Kendall asked if they would like to have more discussion before they do that to see where they stand with it. Jim Collins indicated right now, Council does not stand anywhere with it. Mr. Kendall asked if the plan was to have them come up with something and evaluate it from there. Mr. Collins stated yes. Mr. Scherer stated the Borough has a collection of ordinances that deal in part with the way people are required to maintain their properties and probably some are very dated. Mr. Scherer indicated as talked about previously, there is an international property maintenance code that is very specific and very detailed and it is a uniform code. The Borough could take parts of it they like or not incorporate parts the Borough might not feel are applicable. Motion passed unanimously.

Pam Still reported work is continuing for RL and V1 and County are preparing Village II and Commercial General for next month. They are also proposing Village 1 and Village II maybe combined and would be further discussed at the meeting.

Pam Still reported the County would like Borough Council appointed officials and Borough employees to fill out the presented form and then they would have a workshop based on the information basically a vision as to where the top five issues and what is needed to achieve success in the next 10 years. A tentative workshop is scheduled for the May 5th.

Pam Still reported Cork Shildt, Cheryl and herself had a crash course in being web masters. Ms. Still reported Steve Blair has stepped forward to help with the web site only a few hours now and then. If any committees have information they would like posted on the web site, to place it in a folder in the Borough Office.

Pam Still reported they conducted their walking audit and went well. The professional would be compiling an action plan and Heather would be at May 12th Council meeting to report on her findings. Heather would also like to come back in June with more information. Mayor Boise indicated Kathryn Rynard allowed them to display a lot of her pictures and memorabilia. Joe Cress had a nice article in the paper about the event and commented on the pictures.

PARK & RECREATION

Lois Stoner reported they finally received the permit for the pavilion and it is under way.

SHADE TREE COMMISSION No report

OTHER BUSINESS FOR COUNCIL

Jim Collins reported the Cumberland Franklin County Boroughs Association is having a get together on April 22 at the Parlor House in Waynesboro. Social hour starts at 6:00, dinner at

6:30 and the program starts at 7:20. The speaker is Pennsylvania Senator Richard Alloway. There would also be a Q & A. The cost is \$17.00 per person. Anyone interested should contact Cheryl.

Pam Still stated through PSAB there is one free webinar per year. It is a comprehensive look at successful revitalization strategies. The webinar will be held April 23rd and is 12:00 p.m. to 1:30 p.m. Everyone is welcome.

Jim Collins called for an executive session a personnel matter at 7:57 p.m. Council went into recess.

Jim Collins called the Council meeting back to order at 8:15 p.m. Jim Collins reported Council has received a written grievance on April 8, 2014 and Council has 15 days to respond. Mr. Collins stated on the advice of legal counsel, regarding the personnel and potential litigation matter, Jim Collins made a motion to deny the requested grievance and provide notice of the decision in writing to Troy Wiser. The motion was seconded by Matt Hockley. Motion passed unanimously.

Cork Shildt made a motion that should it become necessary that the attorney act as Councils administrator for any binding arbitration. The motion was seconded by Deb Brophy. Motion passed unanimously.

ADJOURN

Cork Shildt made a motion to adjourn the April 14, 2014 Borough Council meeting. The motion was seconded by Lois Stoner. Motion passed unanimously.

Respectfully submitted,

Cheryl D. Smith
Borough Secretary/Treasurer

Transcribed by:

Pat Fisher
Utility Billing Clerk

