

Abbottstown Borough Council Meeting

November 15, 2018 7PM

CALL TO ORDER: 7:00 p.m.

ROLL CALL: Laura Baker, Dale Reichert, April Trivitt, Daniel Watkins, Dennis Posey. Also in attendance: Mayor Duane Watson; Administrator/Secretary/Treasurer, David Bolton, MBA, CBO. Excused Absences were Solicitor, Tim Shultis; Engineer, Chad Clabaugh.

PLEDGE OF ALLEGIANCE: Led by President Dennis Posey

ANNOUNCEMENTS: An Executive Session was held at 6:10 pm in Council chambers to discuss Personnel (annual review).

GUESTS: Wayne Felix, 237 Lincoln Way East, New Oxford, Bulldog Baseball.

PUBLIC COMMENT: Mr. Felix offered to have the Bulldog Baseball Club take care of the "practice" ballfield behind the Borough Building to use during weekdays next summer for 8-14 year olds to practice for traveling league play. The group has been playing at the Clarks building in Conewago Township but need the larger diamond for the older kids. Councilor Laura Baker will work with him to get an agreement signed and work out the details.

APPROVAL OF MINUTES: *Motion made by Laura Baker to accept the minutes of October 18, 2018; 2nd by Dan Watkins; Motion carried, 5 Ayes.*

REPORTS:

TREASURER: Council reviewed the financial documents and prepared bills; Mr. Bolton answered questions concerning specifics. A bank audit was also presented, which was thoroughly reviewed by Mrs. Trivitt.

Motion made by April Trivitt to accept the Treasurer's Report through October 31, 2018; 2nd by Dale Reichert; Motion carried, 5 Ayes.

Motion made by April Trivitt to approve paying the bills as presented; 2nd by Dale Reichert; Motion carried, 5 Ayes.

ADMINISTRATOR – David Bolton, MBA, CBO submitted reports and recommendations for action on the following activity:

⇒ Engineer RFPs: 7 agencies were contacted (Wm. Hill, CSD, Buchart Horn, Rettew Assoc., KPI Tech, HRG, Inc., Sharrah Design Group) Buchart Horn, Rettew and

Sharrah declined to submit. 4 agencies have returned their completed proposals. Analysis of Engineering Costs presented to Council with RFP Rate spreadsheet.

Motion to accept RFPs from the four afore-mentioned agencies made by Laura Baker; 2nd by Dan Watkins; Motion carried, 5 Ayes.

Motion to award contract for engineering services through 2019 calendar year to C.S. Davidson made by Laura Baker; 2nd by April Trivitt; Motion carried, 5 Ayes.

⇒ PSAB UC solvency fee: Election, not a requirement. Based on wages, Abbottstown can elect coverage with a solvency fee of **\$38.98**. This will give the Borough relief of charges for UC benefits that are paid to a claimant who: quit work without good cause, discharged for willful misconduct, separated by their own fault, failure of substance abuse policy, working PT for employer but left another base-year employer, separated due to cessation of business due to disaster. Non-participation does not affect status as reimbursable employer.

Motion to not elect solvency fee from PSAB UC plan made by Dan Watkins; 2nd by April Trivitt; Motion carried, 5 Ayes.

- ⇒ Codification Project: General Code has accepted our agreement to finish codification, produce Code books and maintain online Code database. Total cost is \$8,600 (includes 5 bound Code books, 1st year of online database maintenance). Books will be delivered before Christmas. One will be placed in Adams County Law Library.
- ⇒ 2019 Snow Plow contract with R.L. Beaver executed and filed.
- ⇒ EBACC Winter Newsletter content (free 3.75" x 5" ad) submitted.
- ⇒ Center Square: all funds have been received from IRM; Doug Lillich – flag pole to go up Monday 11/19. Mason was due this week; sent email. Permission to contact and work with PennDOT to get a solution for issues given to Mr. Bolton from Council.
- ⇒ Comcast: Previously, Kristen Ritchey spoke with VP Lisa Birmingham; they have rejected our request for .75% PEG fee; again offered \$.10 per bill. Kristen spoke with her VP again to see if they will meet in middle at .5% PEG fee; NO, \$.10. President Posey has directed me to find alternate service providers (speaking with Century Link) and write letter to municipalities asking for coalition to renegotiate all 34 agreements. VP Reichert informs Council of the fiber optic line in town via Verizon. President Posey directs Mr. Bolton to discover who is the boss of Comcast VP Birmingham.
- ⇒ E-cycling event; coordinated date for fourth event with Cumberland and Straban Townships for December 1st at East Berlin Rec Park; listed in paper and websites.
- ⇒ Borough Newsletter, Winter Edition. No submissions; created content.
- ⇒ Set up winter contacts with PennDOT (Mayor, myself).
- ⇒ New County Ordinance: no building permits will be issued without municipal permit or letter of exemption.
- ⇒ International League of Cities: Annual membership \$225. Council has no interest in joining at this time.
- ⇒ Emergency Operations municipal exercise: December 11th @ 6:30 pm ESB.
- ⇒ Community Media 2019 proposed budget; thanks for the support in Abbottstown.

⇒ Adams County Boroughs Assoc meeting Monday, Nov 19th @ 6:15 pm. Councilor Trivitt and Mr. Bolton will attend.

SOLICITOR – Tim Shultis sent the following via Mr. Bolton:

-- Updates on the Moore Case: Mr. Shultis filed our second petition for contempt on October 30. I've yet to hear from Judge Campbell on scheduling a hearing. He has not heard at all from the Moore's attorneys. The most current court order requires the Moores to remove all items identified during our property inspection no later than November 21, 2018. He thinks Borough Council should authorize Mr. Graham to conduct an inspection the week of November 26, 2018 to assure compliance with the Court's order. While the Moores have cleaned up the property as demonstrated at our inspection on September 21, 2018, we did identify other areas of concern and potential violation. Given the fact that the next Borough Council meeting is not until December 20, you may consider authorizing the filing of a third petition for contempt if the results of any inspection revealed continued violations of the order.

Motion to authorize Mr. Graham to perform the suggested inspection of the Moore property made by April Trivitt; 2nd by Dan Watkins; Motion carried, 5 Ayes.

Motion to authorize Mr. Shultis to direct Mr. Graham concerning any enforcement/inspection activities involved in the Moore case between Council meetings made by Dennis Posey; 2nd by Laura Baker; Motion carried, 5 Ayes.

-- The Residences and Berwick Township: Mr. Shultis sent the Borough Council a letter on October 18 regarding my "conflict of interest". The Council should consider consenting to my continued representation of Abbottstown and Berwick with regard to Kinneman Road. Berwick Township consented on Tuesday night.

Motion made by Laura Baker to consent dual-representation by Mr. Shultis for Abbottstown and Berwick Twsp. concerning Kinneman Road; 2nd by April Trivitt; Motion carried, 5 Ayes.

-- The Residences: We did not receive any responses to the Kinneman Road agreement that Mr. Shultis prepared on behalf of Berwick Township and Abbottstown Borough. Representatives of the developer were present at the Berwick Township meeting on Tuesday evening and indicated that they are still working through some of their issues. So, we are pending further action from the Developer. Berwick Engineer's provided the following regarding costs:

We received costs for Cold In Place Recycling and Paving from H&H, see attached. The total unit cost for CIP and Paving is \$ 27.50 per square yard. The cost for work beyond the development are estimated as follows:

- 1) From Development to Race Track Road: 3,300 s.y. x \$27.50/s.y. = \$ 90,750
 - 2) From Development to Route 30: 3,000 s.y. / 2 x \$ 27.50/s.y. = \$ 41,250
- Total Est. Berwick Share = \$ 132,000

CODE ENFORCEMENT –

- Mr. Graham provided reports on individual enforcements. Updates: Lillich good, Barbershop, Sutton Rd encroachment, E. Water Street line-of-sight, E. Fleet/CC Rd line-of-sight, only one “junk” car left, building permits submitted to County Tax Services, no ‘outstanding’ issues at this time.
- Councilor Trivitt mentioned several issues in the borough. Mr. Bolton will work with Mr. Graham and schedule a ride-along for her. She also advised against residents shoveling snow into the plowed streets.

COMMITTEES and ORGANIZATIONS:

Finance and Budget – Review final draft of 2019 Municipal Budget.

Motion to advertise 2019 Budgets for General Fund, Liquid Fuels and Capital Projects made by Dan Watkins; 2nd by Dale Reichert; Motion carried, 5 Ayes

Motion to advertise Ordinance 2018-02 for levying taxes made by Dan Watkins; 2nd by April Trivitt; Motion carried, 5 Ayes

Budget Workshop advertised for December 6th at 7 pm.

Motion to cancel Budget Workshop for Dec 6, 2018 made by Dale Reichert; 2nd by Laura Baker; Motion carried, 5 Ayes

Parks and Recreation – Neil Strategy Group agreement executed, budgeted. Councilor Baker has put up a \$125 application fee to the state to start non-profit and notary fees.

Personnel Committee – Discussion to hire Public Works employee for 2019. Who will supervise daily activities? (Councilor Baker) Job description and duties? (Mr. Bolton will research) Rate of Pay and hours available? (to be determined in Spring). Mr. Bolton will put an “ad” in the newsletter to solicit interest in position.

Annual Performance Review for Mr. Bolton had been tabled until such time that Council can obtain more information about his current compensation as well as his daily duties for the borough, and to get compensation information from other municipalities for similar positions and duties.

Although an evaluation form had not been completed, President Posey stated that Mr. Bolton has done an outstanding job at saving money for the borough and

completing projects as requested. Councilor Baker stated that Mr. Bolton is “worth more than we can pay you” and Councilor Watkins said he is “worth his weight in gold”. It was suggested to adjust compensation to \$20 per hour for a maximum of 30 hours per week, with one week’s vacation. Mr. Bolton noted that is his current compensation. It was then suggested that a compensation of \$21 per hour for 30 hours per week with one week’s vacation and 3 personal days (use or lose) be set for compensation as of January 1, 2019.

Motion to accept Committee’s recommendations concerning Performance Review and compensation made by Laura Baker; 2nd by Dan Watkins; Motion passed, 5 Ayes.

Mr. Bolton thanked Council for their generosity.

Sidewalks & Streets Committee – Councilor Trivitt explained that Newton Alley, which runs behind her house (undeveloped), is fully of vegetation and groundhogs and she will no longer be responsible for cleaning it up.

CORRESPONDENCE – Reports were available in binder from Code Enforcement, PSP, United Hook & Ladder, Adams Regional EMS.

PUBLIC COMMENT – None

FOR THE GOOD OF THE ORDER:

- Councilor Laura Baker – Everyone should bring food for next meeting.
- Councilor April Trivitt – Nothing further.
- Councilor Daniel Watkins – Nothing further.
- Administrator David Bolton – Nothing further.
- Mayor Duane Watson – Nothing further.
- Council Vice President Dale Reichert – Nothing further.
- Council President Dennis Posey – Thanked Council for voting for Telecommunications Resolution so he could participate at the previous meeting.

ANNOUNCEMENTS – Next Council meeting is December 20th at 7 pm.

Motion made by Daniel Watkins to adjourn at 8:21 pm; 2nd by Laura Baker; Motion approved, 5 Ayes.