

**NEWVILLE BOROUGH COUNCIL
REGULAR MONTHLY MEETING
JUNE 27, 2017 AT 7:00PM**

The regular monthly meeting of the Newville Borough Council was held on Tuesday, June 27, 2017 at 7:00PM in the Newville Borough Office, 4 West Street, Newville, Pennsylvania. The meeting was called to order by Council President Clarence Fry. The invocation was offered, followed by the Pledge of Allegiance. On roll call, the following members were present: Becky Barrick, Joey Diehl, Glenn Harry, Dale Jumper, Edward Sinkovitz and Clarence Fry. Also present: Borough Solicitor Marcus A. McKnight, III, Police Chief Todd Koser, Officer Wyatt Wagner, Code Enforcement Officer Tim Wolfe, Friendship Hose Company President Troy Wisser. Citizens: Gail Wolfe, Donna Hockenberry, Ben and Michelle Dunkelberger, Sharon and David Keebaugh, Kristi Keebaugh, Daniel Lehman, Bobbi Olson, Lucy Jensema, Lysa Wright, Anne Kaiser, Sue Drawbaugh, Dawn Faylor and Dylan Madorsky. New media present: Curtis Garland for the Valley Times Star.

Citizen Comments: Mr. Fry commended the Newville Beautification Commission, the Trash Pack, and citizens who helped to complete a planter on the grounds of the Laughlin Mill. Mr. Fry also thanked the members of the Fountain Festival Committee for a successful event.

Bobbi Olson, 54 West Main Street, voiced concerns about parking on West Main Street, including a suspicious vehicle that has been parked in the area for some time. Chief Koser responded the vehicle was checked and is legally parked, with current inspection and registration. The police department will monitor parking in this area.

Lucy Jensema, 31 West Main Street, commented positively regarding the Fountain Festival, the summer concert at Newville Community Park, and the expansion of the Cumberland Valley Rail Trail into West Pennsboro Township.

Minutes: The minutes of the May 30, 2017 regular monthly meeting were approved on a motion of Mr. Harry, seconded by Mr. Sinkovitz. All were in favor. Motion was passed with six (6) affirmative and zero (0) negative votes.

Finances: The payment of bills was approved on a motion of Mr. Sinkovitz, seconded by Mr. Harry. All were in favor. Motion was passed with six (6) affirmative, and zero (0) negative votes.

The Treasurer's Report was approved on a motion of Mr. Sinkovitz, seconded by Mr. Jumper. All were in favor. Motion was passed with six (6) affirmative, and zero (0) negative votes.

A motion to approve the following Highway Aid Bills was made by Mr. Jumper, seconded by Mr. Harry: U.S. Municipal Supply - Invoices 6116149 \$56.98; Invoice 6115877 \$277.40; Invoice 6116000 \$380.90. All were in favor. Motion was passed with six (6) affirmative, and zero (0) negative votes.

Reports:

-Fire Chief: President Wisser reported the fire company responded to six calls in the borough during the month of May. The responses included 2 medical assist calls, 2 auto

accidents, 1 fire alarm call and 1 report of unauthorized burning. The fire company Executive Board has approved the purchase of a new utility truck from Lawrence Chevrolet at a cost of \$35,888. Mr. Wisner reported this is the base price for the vehicle, decals, radio installation and emergency equipment will result in an additional cost to the company. Mr. Wisner stated the company plans to request that fire tax funds be paid to the vehicle vendor for the purchase. The request will be presented at the July 25, 2017 meeting. The report of the Fire Chief was accepted as presented.

-Police Chief: Chief Koser reported that the police department responded to 291 calls in the month of May. Officers issued 74 traffic citations, and 17 warning notices. Patrol vehicles traveled 2,945 miles. There are presently 51 warrants outstanding. Officer John Shapely will be leaving in mid-July to take a position with the Carroll Township, York County, Police Department. The Chief read a letter from the Carlisle Police Department praising Officer Thomas Wambold for responding, while off duty, to an assault involving several individuals. Officer Wambold's actions stemmed the assault. Further investigation of the incident by the Carlisle Police Department resulted in an arrest of one of the assailants. As part of a follow-up investigation by Newville Borough Police, Officer Keller entered information into the reporting system shared by other Cumberland County Police Departments. As a result of the data entry, a suspect may be arrested in connection with a homicide in another municipality. Chief Koser reported that Officer Wagner has completed training and is now certified as a Field Training Officer and Crime Scene Technician. He is due a \$0.20/hour pay increase for each certification, in accordance with the Collective Bargaining Agreement. A motion was made by Ms. Barrick, seconded by Mr. Jumper to approve the pay increase for Officer Wagner. All were in favor. Motion was passed with six (6) affirmative, and zero (0) negative votes. The report of the Police Chief was accepted as presented.

-Mayor's Report: The report of the Mayor was accepted as presented.

-Code Enforcement Officer: Mr. Wolfe reported that he has taken the exam to become certified in the International Property Maintenance Code. When he registered for the exam, he learned he would also be tested for the Residential Property Maintenance Code. Mr. Wolfe stated that Newville Borough has never adopted the Residential Property Maintenance Code, and he has never enforced this code. He did not pass the examination. He added that there is no way to break-out the scores as they relate to the International Property Maintenance Code, and the Residential Property Maintenance Code. Mr. McKnight suggested that Mr. Wolfe should take the exam at another time. Mr. Potzer stated it seems unfair to test Mr. Wolfe for subject matter that he has not been empowered by Borough Council to enforce. He suggested a program of continuing education by allowing the Code Enforcement Officer to enroll in-service in code enforcement, blight elimination and rental property training courses. A motion was made by Mrs. Diehl, seconded by Mr. Jumper to withdraw the requirement of certification in the administration of the International Property Maintenance Code, due to the content of the certification exam, and to allow the Code Enforcement Officer to take in-service training courses as they are offered by the Commonwealth Codes Academy, and other sources. Voting in favor of the motion were: Mrs. Diehl, Mr. Jumper and Mr. Fry. Voting against the motion were Mr. Harry, Ms. Barrick and Mr. Sinkovitz. The vote resulted in three affirmative and three negative votes. Mayor Toth was absent. A Special Meeting must be called to allow the Mayor to cast the tie vote. Council agreed that Mr. Wolfe may continue to serve as the Code Enforcement Officer, without the required certification, until the Mayor casts his vote.

-Local Emergency Management Coordinator: Mr. Barrick had no report.

-Chief Plants Operator: The report of Mr. Lehman was accepted as presented.

-Zoning Officer: The report of the Zoning Officer was accepted as presented.

-Water and Sewer Field Operations: The report of Mr. Zeigler was accepted as presented.

-Street Superintendent: The report of Mr. Handshew was accepted as presented.

-WCCOG: There was no report.

-Newville Beautification Commission: There was no report.

Legal Matters: Solicitor McKnight reported that several minor amendments to Ordinance 2017-01 have been made. The penalties section has been amended to remove provisions for incarceration; the Fire Chief may not issue tickets or citations; fines have been changed from criminal to civil. The Ordinance has been advertised, and is ready for adoption. There were no public comments. A motion was made by Mr. Sinkovitz, seconded by Ms. Barrick to approve the adoption of Ordinance 2017-01, "An Ordinance of the Borough of Newville, Cumberland County, Pennsylvania regulating outside burning within the borough, the type of materials to be burned and conditions under which burning may be prohibited." **Roll Call:** Ms. Barrick, yes; Mrs. Diehl, yes; Mr. Harry, yes; Mr. Jumper, yes; Mr. Sinkovitz, yes; Mr. Fry, yes. Motion was passed with six (6) affirmative and zero (0) negative votes. Mr. Sinkovitz requested that copies of the ordinance be forwarded to all borough landlords.

-Borough Solicitor's Report: Mr. McKnight reported that the installation of the pedestrian underpass along the Cumberland Valley Rail Trail and Centerville Road was completed ahead of schedule. The next phase of improvements will include completion of the trail to the Big Spring High School.

-Committee Reports:

-Finance: Mr. Fry reported the Earned Income Tax collected by the Cumberland County Tax Collection Bureau for the month of June totaled \$13,719.72; LST totaled \$2,919.77.

A motion was made by Mr. Harry, seconded by Mr. Jumper to reject the order placed with McCafferty Ford on February 3, 2017 for a 2017 Ford SUV Interceptor, due to the untimeliness of the delivery. On the question: Chief Koser noted that the dealer used the wrong COSTARS code to order the vehicle. The order was placed for a sedan, not an SUV. Motion was passed with six (6) affirmative and zero (0) negative votes.

The Chief also reported that the 2006 Ford Crown Victoria has been taken out of service. A motion was made by Ms. Barrick, seconded by Mrs. Diehl to approve payment of Sales Quote 6032 of 911 Rapid Response, Annville, Pennsylvania, to strip the 2006 Ford Crown Victoria of all emergency equipment. All were in favor. Motion was passed with six (6) affirmative, and zero (0) negative votes.

After a lengthy discussion, a motion was made by Ms. Barrick, seconded by Mr. Sinkovitz to approve the acceptance of a Sales Quote from 911 Rapid Response of Annville, Pennsylvania, to furnish a 2017 Ford Interceptor AWD police vehicle, said vehicle is a COSTARS vehicle supplied by Hoffman Ford of Harrisburg, Pennsylvania, to be decal with ghost markings, and furnished with emergency equipment supplied and installed by 911 Rapid Response, at a cost of \$39,688.10, subject to release of grant and loan funds by the USDA. All were in favor. Motion was passed with six (6) affirmative, and zero (0) negative votes.

A motion was made by Mr. Jumper, seconded by Mr. Harry to approve a donation of \$250 to the Cumberland County Solid Waste and Recycling Authority to help defray the cost of the annual Household Hazardous Waste Collection Day. All were in favor. Motion was passed with six (6) affirmative, and zero (0) negative votes.

A motion was made by Mrs. Diehl, seconded by Mr. Jumper to approve annual contributions of \$500 each to the John Graham Library and the Big Spring Senior Center, as provided by the 2017 General Fund Budget. All were in favor. Motion was passed with six (6) affirmative, and zero (0) negative votes.

A motion was made by Mr. Jumper, seconded by Mr. Harry to approve the donation of three computer towers, a used printer and one used monitor, to Movement Outreach, where they will be refurbished and utilized for a computer lab. All were in favor. Motion was passed with six (6) affirmative, and zero (0) negative votes.

-Community and Economic Development: Ms. Barrick reported that the July 13, 2017 monthly meeting of the Community and Economic Development Committee will be canceled. The Traces of Eden Band is scheduled to perform at the Newville Community Park on July 30, 2017. Donations are presently being accepted for the summer concerts at Community Park.

-Public Safety: Mrs. Diehl reported that a request for an additional street light on Broad Street has been brought to her attention. The area which is near 116 Broad Street is very dark. It was noted the cost of a 9,500 lumen high pressure sodium street light is \$13.00 per month. A motion was made by Mrs. Diehl, seconded by Ms. Barrick to authorize PPL to install a 9,500 lumen high pressure sodium street light on an existing utility pole, near 116 Broad Street. All were in favor. Motion was passed with six (6) affirmative, and zero (0) negative votes.

-Personnel: Mr. Harry reported that he will have several matters to discuss following the Executive Session.

-Recreation: A motion was made by Mr. Harry, seconded by Mr. Jumper to approve a request from the Movement Outreach and Big Spring Heights Church of God to host a "Back to School Bash" on August 18, 2017 from 6:00PM to 9:00PM at the Newville Community Park. All were in favor. Motion was passed with six (6) affirmative, and zero (0) negative votes. A motion was made by Mrs. Diehl, seconded by Ms. Barrick to approve a request from the Diller Mennonite Church to sponsor a community concert on August 19, 2017 at 6:00PM featuring Frances Drost. All were in favor. Motion was passed with six (6) affirmative, and zero (0) negative votes. Mr. Sinkovitz announced that the new benches for the gazebo have been completed, and will be installed soon.

-Public Works: Mr. Jumper announced curb painting is now complete, and crosswalk painting will soon be underway. Four new snow tires are needed for the Ford Dump Truck. Prices will be obtained from the local tire shops. Two trustees from the Cumberland County Prison are being used to paint the guide rails on borough streets.

Committee Recommendations: None.

Old Business: A motion was made by Mr. Jumper, seconded by Mr. Sinkovitz to authorize PA PERCS to repair a pedestrian crossing light at West Main Street and West Street at a cost of \$9,162.34, and to forward the claim to the responsible party's insurance company for payment. All were in favor. Motion was passed with six (6) affirmative, and zero (0) negative votes.

New Business: None.

Correspondence: A letter was received from Officer Wyatt Wagner requesting a waiver of the residency requirement governing the distance a full time officer may reside from headquarters. The present limit is 15 miles. Officer Wagner is requesting the radius be extended to 27 air miles.

Citizen Comments: There were no citizen comments.

Borough Manager's Report: The Borough Manager reported that parking meter posts on Main Street and High Street will be removed on July 5-6, 2017. Temporary no parking orders will be posted while the work is underway. A request was received from Donald Flagle that the

parking meter posts on the east side of South High Street should remain in place as a guide for parked vehicles. Council directed the meter posts to be removed as ordered. It was suggested that white markings be painted on the curb to define the parking spaces.

Mavor's Comments: None.

Executive Session: The Newville Borough Council adjourned to Executive Session at 8:17PM to discuss several personnel matters regarding administrative staff and police officers. Council returned to regular session at 9:25PM.

A motion was made by Ms. Barrick, seconded by Mr. Harry to accept the resignation of Sara Jarrett as Community and Economic Development Coordinator, with regret, effective immediately. All were in favor. Motion was passed with six (6) affirmative, and zero (0) negative votes.

A motion was made by Ms. Barrick, seconded by Mr. Harry to approve the appointment of Wyatt Wagner to serve as Acting Chief of Police, from the time that Chief Koser takes medical leave, until such time as Chief Koser may then return with a physician's statement indicating the level of restrictions that may apply. During the time period in which Officer Wagner shall function as the Acting Chief, he shall receive additional compensation at the rate of \$5.00 per hour, consistent with the police contract. All were in favor. Motion was passed with six (6) affirmative, and zero (0) negative votes.

A motion was made by Mr. Sinkovitz, seconded by Ms. Barrick to accept letters of interest from residents who may wish to fill a vacancy on the Newville Zoning Hearing Board, said term to expire on December 31, 2017. All were in favor. Motion was passed with six (6) affirmative, and zero (0) negative votes.

A motion was made by Ms. Barrick, seconded by Mr. Harry to approve the hiring of Kevin Bigler of Shippensburg, Pennsylvania as a part time police officer at the rate of \$18.45/hour, subject to a one year probationary period. All were in favor. Motion was passed with six (6) affirmative, and zero (0) negative votes.

Council President's Remarks: None.

Adjournment: With no further business to come before the Newville Borough Council the meeting was adjourned at 9:30PM on a motion of Ms. Barrick, seconded by Mr. Harry. All were in favor. Motion was passed with six (6) affirmative, and zero (0) negative votes.

The next meeting of the Newville Borough Council will be held on July 27, 2017 at 7:00PM in the Newville Borough Office, 4 West Street, Newville, Pennsylvania, 17241

MINUTES RECORDED BY:



FRED A. POTZER
Borough Manager/Secretary