

**BOROUGH OF GREENCASTLE
COUNCIL WORKSHOP MEETING MINUTES**

July 25, 2022

7:00 P.M.

MEMBERS PRESENT: Mayor Ben Thomas, Jr., President Albert W. Miller, Councilmen Joel Amsley, Wade Burkholder, and Jeremy Layman. Vice President Jan Shafer arrived after the meeting started. Also in attendance were Borough Manager Emilee Little, Public Works Manager Bob Manahan, Chief John Phillippy, and Code Enforcement Officer Ericka Faight.

President Albert W. Miller called the meeting to order at 7 p.m.
An invocation was provided by Mayor Ben Thomas, Jr.
President Albert W. Miller led the Pledge of Allegiance.

President Albert W. Miller stated that the meeting was being recorded for accuracy and noted an Executive Session to review a personnel matter after the July 5, 2022 meeting as noted in the minutes. Miller stated that there would be presentations by staff followed by discussion by Council and then public input. He said that correspondence was received regarding Buchanan Flats and asked that one representative speak on this item.

Opportunity to be Heard:

Steve Miller, 232 Moss Spring Avenue, thanked Borough staff for their work preparing for Old Home Week.

Carolyn Sollenberger, 301 S. Washington Street, (also representing Amy Watson) spoke to Council about parking concerns in front of her driveway and their request for a No Parking sign.

President Albert W. Miller stated that Mayor Thomas was providing comments on the issue and that an Ordinance revision was being reviewed.

Eddie Baxter, 117 Carowinds Drive, thanked Chief Phillippy for his work, asked about the use of ARPA funds for utility relief, and the replacement for Councilman Mairose. He also thanked Little for her monthly reports.

Burkholder stated that he originally wanted some ARPA funds held in reserve for utility relief but Council took no action on the request and money was never budgeted. He said he feels that some of the next ARPA payment funds should be put aside for such requests.

Mayor Thomas said that Mr. Swain was referred to the Commonwealth and he did not meet the criteria for state-funded relief.

President Albert W. Miller said Council would be voting at the meeting to accept the resignation of Allen Mairose dated July 31 after which they had 30 days to fill the position. He offered that anyone interested in applying for the open Council seat would need to submit a completed Public Participation Form to the Borough.

Larry Pitman, 35 W. Madison Street, thanked Council for mowing 43 W. Madison Street and asked what future plans were.

President Albert W. Miller said this would be discussed under the ordinance review process.

Little said the property owner will be billed for the mowing and the other items will be addressed by Borough staff, in addition to the citation before the District Justice.

Mayor Thomas said the issue is still before the District Justice and that if the grass becomes a violation again, the process will start over.

Kim Siner, 216 N. Carlisle Street, asked if the N. Carlisle Street project was complete and noted safety concerns at her properties.

Little said the N. Carlisle Street project is not finished because of issues with the contractor and that the Borough is still working on the punch list. Little advised she and Manahan will look at her sidewalk this week and ensure the safety concerns are addressed prior to Old Home Week.

Review Minutes of Previous Meetings

No comments were received regarding the minutes of the Borough Council Meeting of July 5, 2022.

Ordinance Review

Code Enforcement Officer Ericka Faight provided her suggested ordinance revisions to provide increased enforcement authority.

Brush, Grass and Weeds – Chapter 86: Faight suggested the language be changed to read “any grass or weeds, or any vegetation whatsoever to obstruct any part of any street, alley, public right of way or sidewalk” which would include low hanging tree branches.

Burkholder asked if dead trees were covered by ordinance and Faight said she believed this to be a civil matter. Layman thought it might be covered under Shade Tree regulations.

A discussion followed among Layman, Faight, Amsley, President Albert W. Miller, and Mayor Thomas concerning safety with regard to enforcement in public areas and potential legal ramifications to the Borough.

President Albert W. Miller asked if language existed regarding absentee landlords and if there is a process before the Borough can remediate. Faight suggested safety language be deferred to the Solicitor, but it should not replace modifying the language in the Code to allow greater enforcement.

President Albert W. Miller asked about private property issues and Faight said that is a civil issue. Amsley stated damages become a liability issue, even if a tree is on your property. Layman asked for clarification of property rights when plantings infringe onto a neighboring property and Mayor Thomas said this is a civil issue and reminded Council that safety must be addressed by ordinance.

Tim Fetterhoff, 180 Baumgardner Drive, asked what governs power companies. Faight noted state code addresses this.

Eddie Baxter asked if ADA regulations would cover sidewalk safety and Faight said she cannot enforce ADA.

Property Maintenance – Chapter 132: Faight requested that yard waste be added to junk, trash or debris.

President Albert W. Miller asked if non-roadworthy vehicles were addressed and Faight said she did not provide updated language because the information is there already and noted the District Justice requirements. Faight, Chief Phillippy, Mayor Thomas, and President Albert W. Miller went on to discuss the case law for abandoned vehicles and what could be regulated in the Borough.

Steve Miller said that abandoned vehicles could pose an environmental concern due to leaking fluids.

Eddie Baxter said that residents could be offered yard waste pickup to address brush and weeds and President Albert W. Miller asked about bulk pickups which Faight said prohibit yard waste.

Pools – Chapter 205-22: Faight requested the language be changed to read “any such pool with a surface area of 150 feet or more, or a depth of two (2) feet, shall be completely surrounded by a fence or wall that is not less than four (4) feet in height. All gates or doors opening through said fence shall be erected, maintained and provided with a self-closing, self-locking gate to prevent unauthorized use of the pool and to prevent accidents. However, if said pool is located more than four (4) feet above the ground level, then a fence is not required provided that all points of access to said pool are adequately protected by a self-closing, self-locking gate.”

Eddie Baxter asked if inflatable pools would need a fence when they’re temporary and Faight said the pools she referred to are up all season.

President Albert W. Miller suggested including hot tub language, definitions and covers. Faight said she thought they may be covered elsewhere in the Code.

Definitions – Chapter 205-56 Parking, Storage, or Use of Recreational Vehicles: Faight suggest the Ordinance be moved to Property Maintenance and the Mixed Use zone included for the purpose of enforcement.

Faight said that she cannot enforce citations for RVs and asked that it be moved to Property Maintenance. President Albert W. Miller asked if there were issues with other types of recreational vehicles and Faight said trailers are regulated. A discussion followed by President Albert W. Miller, Faight, and Amsley about coverage of boats, recreational vehicles, and indoor storage. It was determined that the language would be rewritten.

Tim Fetterhoff asked about four-wheelers or dirt bikes and Faight said the Code addresses their storage.

Burkholder asked what was decided about trash containers and Little said that receptacles can be stored in front or on a public sidewalk 24 hours prior to pick-up only. Faight said she would investigate his concerns.

Stormwater – Chapter 166: Little said the Borough should consider updating their stormwater ordinance to follow the 2022 PADEP Model Stormwater Management Ordinance and outlined what the language requires with regard to construction, inspection and enforcement. The ordinance would also allow the Borough to go on property to inspect illicit discharges and issue fines.

President Albert W. Miller said that it would be easy to adopt the state model. Little said some language is already included in Chapter 166 and would only need amended to include that language the Borough chooses to incorporate.

Mayor Thomas said the PADEP will be looking at ordinances and the Franklin County Soil Conservation District would do construction inspections which would be reviewed in state and federal audits. He added that developers would need to reimburse the Borough for those inspections. President Miller said this would provide accessibility for ARRO to conduct GIS mapping.

No Parking Regulations – Chapter 190-27: Little said that areas with yellow curbing are not all ordained and therefore cannot be enforced by the Police. She discussed S. Washington Street which will be ordained and have signage and W. Baltimore Street which will have a portion of yellow line removed and a meter put back with no ordinance change.

Manahan asked that if a street is ordained no parking, even if yellow, if it still needs to have signage and Mayor Thomas said it did per PennDOT.

Albert said asked if more than one street could be advertised at once and Little said all changes to Chapter 190 could be captured in one ordinance.

Layman asked if the meter would impact sight distance on W. Baltimore Street and Little said it would not. He asked if the owner had been consulted and Mayor said he did not and Little said she would notify the property owner of the meter installation and no parking change.

Dunkin Donuts: Little said that correspondence was sent to the owner asking for a transportation plan and it has not been received. She said there may not be feasible long-term solutions for police enforcement and Chief Phillippy concurred.

President Albert W. Miller, Mayor Thomas, and Layman discussed on property options for maintaining traffic flow, and communications that needed to continue with the owners. Mayor Thomas spoke with Mr. Patel and he was to respond to Little by July 26.

Speed Limits – Chapter 190-9: Little reviewed all streets in the Borough with and without speed limits ordained.

Mayor Thomas said the Vehicle Code allows for a speed limit of 25 mph in residence districts if it doesn't have a PennDOT number and that, as long as the streets are listed in the Ordinance, they don't need signage.

Amsley asked if speed limits could go lower and Mayor Thomas said a traffic study would be required.

Little said Manahan reviewed the ordinance to see which roadways don't have established speed limits so a revision would be required to add the missing roadways (including alleys). Manahan and Chief determined the appropriate speed limits for all unordained roads be 25 mph.

Layman said that he agrees with Amsley that alleys need to be included. Little said alleys would be added with a 15 mph speed limit.

Manahan said some alleys don't have room for signs. Chief Phillippy said he supports ordaining a speed limit for every piece of macadam in the Borough with a stepped approach for signage installation.

Nancy Dunn, 339 Moss Spring Avenue, said she wants a posted speed limit of 20 mph in Moss Springs and Little said Moss Spring Avenue is not current ordained and reiterated that 25 mph was the lowest speed limit allowed by law.

Steve Miller said that with the Moss Spring connector for Buchanan Flats a speed limit of 15 mph should be established in some areas with 25 mph elsewhere.

Vice President Shafer asked about Baumgardner and Jeffrey. Manahan said Baumgardner is ordained but there is no sign and he is still researching the status of Jeffrey.

Steve Miller asked Manahan to provide documentation for citizens if there is definitive language from PennDOT saying that speed limits cannot go below 25 mph without the Borough losing Liquid Fuels funds.

Amsley asked if a No Outlet sign on Colonial Drive could be taken down and Manahan said he would remove it.

Little provided correspondence requesting the No Parking designation on Madison Street near the police department be extended one car length west on the church side. A discussion followed among President Albert W. Miller, Little, Mayor Thomas, and Chief Phillippy on site distance compliance and no further action was taken.

Administration

On an Amsley/Layman motion, Council unanimously voted to accept the resignation of Allen Mairose from Borough Council effective July 31, 2022.

Little said information will be posted on Borough social media and interested parties will need to complete a Public Participation Form.

S. Jefferson Street Project

On a Burkholder/Amsley motion, Council unanimously voted to approve Change Order No. 2 in the amount of \$34,788.00 for additional 3" milling and the installation of 3" base pavement from Baltimore Street to Franklin Street during the S. Jefferson Street project.

On an Amsley/Burkholder motion, Council unanimously voted to approve Change Order No. 3 in the amount of \$3,900.00 for an additional 480 square feet of spot repair and replacement of 3" milling and the installation of 3" base pavement from Franklin Street to Dahlgren Street during the S. Jefferson Street project.

Amsley asked Manahan if he was able to determine the quality of sub-base prior to milling. Manahan said there was testing options but it doesn't guarantee that all issues can be identified, even with core testing.

On an Amsley/Burkholder motion, Council unanimously voted to approve Change Order No. 4 for a change in material from PA 2A to #57 stone during the S. Jefferson Street project.

On a Burkholder/Amsley motion, Council unanimously voted to approve Change Order No. 5 to change the date of substantial completion to August 15, 2022 for the S. Jefferson Street project.

Steve Miller said that the Workshop was established to have no business conducted and he suggested that the meeting be advertised as a meeting, identifying what items will be discussed and what business will be conducted.

President Albert W. Miller responded that this was the first Workshop where voting occurred. The Mairose resignation had to be accepted on or before July 31 which necessitated it being voted on. The Change Orders were under deadline due to Old Home Week.

Correspondence

President Albert W. Miller reiterated that a letter was received from citizens of Moss Springs requesting a traffic study and that no action will be taken at this time. Little said plans had been received and would be reviewed by the Planning Commission at their August 29th meeting.

Nancy Dunn, 329 Moss Spring Avenue, invited Council to come to Moss Spring and view the neighborhood activities on their street. She expressed their concerns about traffic and asked that residents be involved in the calming traffic study. A second signator on the Moss Spring letter asked Council for anything they could do for traffic calming measures.

Upcoming Meetings

August 1, 7 p.m. – Borough Council Regular Meeting

August 22, 7 p.m. – Borough Council Workshop Meeting

August 29, 7 p.m. – Borough Planning Commission Meeting

Adjourn

The workshop adjourned at 9:19 p.m.

Respectfully submitted,
Donna Irons-Zimmerman
Borough Secretary