

BOROUGH OF GREENCASTLE COUNCIL MEETING MINUTES

October 5, 2020

7:00 P.M.

60 N. Washington Street

MEMBERS PRESENT: Mayor Ben Thomas Jr., Council President Steven Miller, Councilmembers: Larry Faight, Joel Amsley, H. Duane Kinzer, Matthew Smith, Jeremy Layman, and Wade Burkholder. Also present was Borough Manager Lorraine Hohl, Finance/HR Manager Emilee Little, Chief of Police John Phillippy, and Borough Solicitor Zachary Rice.

President Miller called the meeting to order at 7:00 p.m.

An invocation was given by Vaughn Oberholzer.

President Miller led the Council, staff, and audience in reciting the pledge of allegiance.

President Miller noted the meeting was being recorded.

On a Burkholder/Amsley motion the Council voted unanimously to approve the proposed agenda for the October 5, 2020 regular Council meeting.

Citizen Survey

President Miller stated that the survey that was dispersed was not an official document from the Borough Council, but that Council appreciates citizens' right to petition and have their opinions heard by government. Miller stated that the Borough solicitor Zachary Rice was in attendance to answer questions and provide comments.

Hohl stated that some Borough residents and tax payers received a memorandum and survey concerning the Borough of Greencastle's transparency regarding Stormwater, budgets, and other topics. This memorandum was signed by past Council Presidents, business owners, and property owners. Hohl stated that this letter does not provide full context of the discussed topics and has created unrest in the community. Hohl acknowledged the Borough released a statement verifying that the Council did not create, authorize, or solicit the memorandum or survey, or the results of the survey. Hohl invited citizens to voice their opinions during the public comment period.

Zachary Rice stated that the surveys returned to the Borough office will be retained by the Borough and will be available to citizens upon request under Right to Know laws.

Opportunity to be Heard

President Miller invited Borough citizens to address Council with specific issues of concern, reminding them of the public comment policy.

Albert Miller of 171 Apple Drive indicated he requested to be on the regular agenda and that Council had denied that request. Albert Miller stated that President Miller is trying to silence the community and other Council members. Albert Miller discussed the stormwater utility and budgets, stating that all stormwater functions need to be returned to the General Fund.

On an Amsley/Faight motion the Council voted unanimously to grant Albert Miller additional time.

Albert Miller stated, "With the resignation of the Borough Manager, I am also asking for Council President to resign."

Charles Eckstine of 64 Williamson Avenue stated that it doesn't give him pleasure to criticize current Council. Eckstine stated it is impossible to get information and that he has waited over a year for a response to a written

question. Eckstine questioned the press release drafted in response to the survey. Eckstine stated that he was on Council for 24 years and discussed previous members of Council. Eckstine encouraged Council members to replace the Council President.

Joe Krouse of 41 Edward Drive expressed his displeasure with Council's adherence to Robert's Rules of Order and questioned the Borough's handling of the citizen's survey.

Stephanie Harbaugh of 501 S. Cedar Lane discussed the Borough's progression towards a single trash hauler and the questioned how the Borough was assessing the community's support for this initiative. Harbaugh directed comments to Hohl, stating that Hohl inherited a lot of challenges from previous management but that Hohl had the community's best interest at heart.

Brian Harbaugh of 501 S. Cedar Lane questioned the Fire Tax the Borough may implement to support the Rescue Hose Company's request for funding increased personnel costs. Harbaugh stated that he supports the Rescue Hose but questioned the investment amount of 3.5 million shown on the Rescue Hose Company's Form 990. Harbaugh suggested the Fire Tax discussion be tabled until the Borough gets a clear breakdown of the finances.

Jan Shafer of 142 Carowinds Drive discussed Ordinance 2019-04 outlining the Stormwater Utility and the Stormwater Pollutant Impact Fee. Shafer stated that because the Borough received an MS4 waiver, the full amount of funds collected should have been refunded to the community. Shafer stated she has read all Council meeting minutes and suggested that Councilmembers should have to be home owners in the Borough.

Eddie Baxter of 117 Carowinds Drive encouraged citizens to attend the 2021 budget meetings, saying that if people want transparency they have to come to the meeting. Baxter discussed Council's feedback policy during meeting, Right to Know requests, the citizen survey, and sidewalk safety on Route 11.

Mark Yohn of 36 Celestial Terrace discussed the retention pond in his development and how he believes that pond should eliminate his contribution to stormwater runoff. Yohn stated that he is in support of a single trash hauler due to his problems with Progressive, his current trash hauler.

Jon Henson of 680 Osbourne Drive thanked the solicitor for being at the meeting. Henson stated he thinks people should have a choice if they want to participate in the trash collection or not. Henson also commented on his desire to yield his time to others.

Vaughn Oberholzer of 260 East Madison Street questioned and expressed his dislike of Stormwater fees. Oberholzer stated that people are making money off this program and he does not agree with the fees.

Josh Hooper of 508 East Baltimore Street agreed with Jan Shafer suggestion that Councilmembers should be required to be property owners if they are making decisions that others have to live under. Hooper questioned the increase in water usage. Hooper suggested fundraising options for the Rescue Hose to do instead of the Borough implementing a Fire Tax.

Council's Response to Public Comments

Miller stated that the Borough has based its stormwater billing on impervious square footage which is an approved standard methodology. Miller reiterated that the stormwater utility remains in place to improve current infrastructure and support stormwater related services.

Miller voiced appreciation for the community's suggestion of creating a public survey to assess support for a Borough-wide single trash hauler.

Solicitor Zachary Rice informed citizens that it is state law that any resident of the Borough has the constitutional right to run for public office.

Councilmembers and Mayor discussed contributions to the Rescue Hose Company.

Miller stated that the Borough legally has to provide a fire service to residents.

Amsley and Kinzer questioned the Rescue Hose Company's income and investments.

Mayor Thomas reiterated that funds given to the Rescue Hose would be restricted to personnel costs outlined in a Memo of Understanding.

Shade Tree Presentation

Shade Tree Commission Chairman, Jeremy Layman, gave a presentation on the Borough's Shade Tree program. Layman shared the assessment and inventory reports, gave an overview of current tree values, and stated that 91% of the Borough's trees are in good condition. Layman expressed that all public trees are tagged and if a citizen questions if a tree is Borough-owned, he or she should contact the Shade Tree Commission.

CONSENT AGENDA

Minutes of Previous Meeting:

Borough Council Meeting: September 8, 2020

Appoint Brian Barkdoll to serve on the Civil Service Commission with a term expiring 12-31-2021.

Approve the Chamber of Commerce's Heritage Christmas request as follows:

- Move the Holiday House to the northwest corner of the Square by Monday, November 16 and removed December 18.
- No parking signs around the square and on the first three spaces on North and South Carlisle Streets on Fridays December 4 and 11 by 3pm and removed after each evening.

On an Amsley/Faight motion the Council voted unanimously to approve the consent agenda.

REGULAR AGENDA

Payment of Bills

On a Faight/Smith motion the Council voted unanimously to approve disbursements listed on the September 2020 Disbursement Report in the amount of \$216,749.96.

Reports from Elected Officials

President's Report

President Miller discussed quarterly stormwater assessments required for properties where permits are submitted. If the work done results in an increase or decrease in impervious area, the Borough completes a remapping which causes a change in the citizen's quarterly stormwater fee.

Mayor's Report

Mayor Thomas discussed new businesses opening in downtown Greencastle and encouraged citizens to support local businesses. Thomas recommended that lamp posts around Center Square be updated to be more appealing and suggested that local businesses and individuals could sponsor these new lamp posts. Thomas requested that Council sponsor free parking from November to December to support local businesses downtown.

On a Burkholder/Faight motion the Council voted unanimously to approve free parking downtown from November 2nd thru the end of December.

Chief's Report

Chief Phillippy outlined calls for service and highlighted incidents. Phillippy discussed a recent Crisis Intervention training he attended at the Franklin County Public Safety Training Center stating that the class was very interesting and informative on the mental health issues. Phillippy also stated that the cameras downtown have been extremely effective in assisting with several recent incidents.

Manager's Report

Borough Manager Hohl updated Council and citizens of the progress of MS4 refunds stating that 96% of the refunds have been completed with the remaining being finaled accounts where the property owner has moved. Hohl discussed the Rt 11 & W. Madison intersection, stating that PennDOT has curbed the area to mitigate debris issues. Hohl verified that LED street lights being installed by West Penn Power would be cut off lighting which do not cause safety concerns.

Committee Action

Personnel:

On a Smith/Kinzer motion, the Council voted unanimously to accept the resignation of Borough Manager Lorraine Hohl.

Amsley stated that Council's inappropriate behavior has to stop.

Faight expressed that Hohl did an excellent job as Borough Manager.

Chief Phillippy thanked Hohl her commitment to the Greencastle community.

Public Safety:

No new business.

Community Development:

No new business.

Administration & Finance:

On a Faight/Smith motion, the Council voted unanimously to approve and award the base bid from Gano Paving in the amount of \$173,638.00, Alternate #1 bid in the amount of \$42,340.00 and Alternate #2 bid in the amount of \$9,889.00 for the total cost of \$225,867.00 for the CDBG installation and replacement of handicap ramps.

On a Burkholder/Amsley motion, the Council voted unanimously to approve a quote from Ralph Tolbert Masonry, Inc. in the amount of \$7,000.00 to repair the town Square.

Public Facilities:

On an Amsley/Faight motion the Council voted 6-1, with Kinzer opposed, to authorize the advertisement of Ordinance 2020-03 naming unnamed alleyways positioned within the Borough of Greencastle.

Kinzer requested that the alley near S. Cedar Lane not be named the suggested name at this time due to the majority of the residents on this street requesting a different name.

Correspondence

On an Amsley/Faight motion, the Council voted unanimously to reject the request for a reduction of the sewer bill for 351 Tyrone Street in the amount of \$51.00 from the third quarter 2020 billing.

Final Comments

Layman: Wished Lorraine the best.

Burkholder: Told Lorraine he hates to see her leave.

Smith: Commented on the lack of public present at the budget meeting.

Amsley: No further comment.

Kinzer: Wished Lorraine Godspeed and thanked her.

Mayor: Best wishes to Lorraine, and thanked the community for their participation.

Faight: No further comment.

Miller: Told Lorraine, "it has been a true pleasure, our prayers are with you."

Council held an executive session immediately following the regular Council meeting.

On a Kinzer/Layman motion, the Council voted unanimously to go into executive session at 9:45 pm.

On an Amsley/Faight motion, the Council voted unanimously to return to regular session at 10:10 pm.

On a Kinzer/Layman motion, the Council unanimously voted to adjourn the meeting at 10:11 pm.

Respectfully submitted,

Emilee Little

Finance/HR Manager