

**BOROUGH OF GREENCASTLE
COUNCIL MEETING MINUTES**

May 3, 2021

7:00 P.M.

60 N. Washington Street

MEMBERS PRESENT: Mayor Ben Thomas Jr., Council Vice President Larry Faight, Councilmen Joel Amsley, Wade Burkholder, H. Duane Kinzer, Jeremy Layman and Matthew Smith. Also present was Borough Manager Emilee Little and Public Works Manager Bob Manahan. Council President Steven Miller was absent.

Prior to the meeting being called to order, Mayor Thomas presented Gavin Baker of Greencastle a Proclamation honoring his achievements in the *Drive, Chip and Putt National Finals* on April 4, 2021.

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

An invocation was given by Reverend Doctor Bob Cook, beginning with a moment of silence for the passing of John Kinney.

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

Vice President Faight noted the meeting was being recorded.

On an Amsley/Burkholder motion the Council voted unanimously to approve the proposed agenda for the May 3, 2021 regular Council Meeting.

Vice President Faight amended the order of the meeting to present the President's Report on behalf of Steve Miller and himself regarding comments made at a previous Council meeting about Borough Manager Emilee Little. Faight offered a public apology on behalf of himself and President Steve Miller and stated that Little was a great hire for the Borough, commending the work she has completed thus far.

Opportunity to be Heard

Vice President Larry Faight invited Borough citizens with specific issues or concerns to address Council following the public comment policy guidelines.

Eddie Baxter, 117 Carowinds Drive, thanked Chief Phillippy and the Police Department for their service to the community. Baxter referenced Chapter 130, Noise, requesting an ordinance change to address waste haulers inside the Borough between 11 p.m. and 7 a.m. and questioned if refuse companies are exempt from the Borough Code. He suggested that under 162-6 of the Code, hours be added to limit waste hauler traffic.

Vice-President Faight thanked Mr. Baxter for his recognition of the Police Department.

Bob Luger, 78 Homestead Drive, reminded Council of the need to address safety concerns in Chadwick Estates with the installation of Vivian Avenue. Luger noted that Antrim Township is not communicating with them and that Bob Eberly has expressed his willingness to work with the Borough to come to a solution.

Jan Shafer, 142 Carowinds Drive, asked if citizens would have an opportunity to speak at the end of the meeting. Vice President Faight stated there would be a second opportunity for public comment.

Angela Pearce, 306 East Baltimore Street, questioned appealing a Shade Tree Commission (STC) decision. Pearce stated she was required to keep Shade Tree #348 even though she cited safety issues related to the age and condition of the tree. Pearce stated that Jeremy Layman, Chairman of the STC, told her she would have to plant \$19,679.70 worth of trees to replace this one. Pearce requested Council look at the tree and potential

impact to her home and sidewalk.

Kinzer requested Pearce's address. Pearce also provided her phone number for follow-up.

Justin Hollingshead, 196 S. Washington Street, spoke about concerns raised by citizens at the April 5, 2021 Council meeting relating to STC operations. Hollingshead stated a petition is being circulated asking for a change in the authority of the STC and it has over 100 signatures. They have also received comments about STC costs, management and bad experiences communicating with commission representatives. Hollingshead suggested permits be approved by the Borough and then given to the STC. Lastly, he commended the Police Department, Public Works Department, and Administrative staff.

Joe Crouse, 41 Edward Drive, referenced his sidewalk maintenance letter requesting he fill cracks in his sidewalk or curb. Crouse stated he does not agree with the sidewalk program. Crouse referenced two properties on his street that have yet to install sidewalks, along with businesses on the Northwest side of the Walter Street and Route 11 intersection that have yet to install sidewalks five years after it was required.

Little explained that a curb or sidewalk permit is free if residents want to make repairs themselves and there is a \$10 fee if residents want Public Works to complete the repair. Sidewalk markings should reflect the current ¼ inch requirement as amended through the Public Facilities Committee and must be filled. Little suggested Bob Manahan meet with Mr. Crouse to look at his sidewalks.

Crouse requested Borough staff look at the sidewalk by the Post Office or the weeds growing in areas throughout the Borough.

Vice President Faight stated that the audience listening virtually could not hear public comments and the laptop was moved.

Ashley McCauley, 159 N. Carlisle Street, stated a flower bed and some shrubs were damaged as part of the N. Carlisle Street Water Authority project and asked who would be responsible for cleaning up the area.

Little asked McCauley to provide photos and stated that DOLI Construction would make any necessary repairs.

Albert Miller, 171 Apple Drive, stated a traffic control concern at the Dunkin Donuts on East Baltimore Street between 7 and 8 a.m. Miller presented pictures to Council and Chief Phillippy showing blocked traffic and suggested a new traffic plan is needed.

Jeremy Layman, 141 N. Carlisle Street (speaking as a resident of Greencastle), asked about preservation of his brick sidewalk and the history it represents. Layman stated he spent \$20,000 to replace sidewalks and curbs at the three properties he owns at the Borough's request. Layman provided a photo to Council of 133 N. Carlisle Street in the 1970s, pointing out the change in street and sidewalk conditions due to years of resurfacing. Layman asked Council to give consideration to property owners that have made improvements to curbs and sidewalks since the inspection program began. He then asked that the Borough preserve his 1872 brick sidewalk adding that he supports improvements but wants history preserved, as well.

John Henson, 680 Osborne Avenue, stated that 30 or 40 years ago he raised the bricks at a property on N. Carlisle Street and then re-laid the sidewalk and he supports the preservation of these sidewalks.

Blake Truman and Lisa Wolfe, VerStandig Media, discussed the proposed June 5th *Good of the Sole* event and requested Borough approval to use sidewalks in the Square and on various side streets to display donated shoes. VerStandig is partnering with E.L.M. Shoes, Chambersburg Waste Paper, and Middletown Valley Bank to

collect 12,482 pairs of shoes that will then be re-donated to Women in Need of Franklin County, Children in Need of Washington County, a homeless shelter in Hagerstown, and Soles of Love in West Virginia.

Eddie Baxter asked if Greencastle charities would be receiving shoes and was informed that Antrim Brethren in Christ was contacted regarding local needs. Baxter requested Greencastle residents be served first.

Larry Faight asked if it would be safe to have shoes line the streets.

VerStandig representatives stated all their radio stations would be collecting, along with other partnering organizations, who would also be providing volunteers to place the shoes throughout town.

Burkholder asked whose insurance liability would cover potential legal and safety issues for the event and suggested the event be publicized on WRGG.

Kinzer and Thomas suggested that VerStandig provide a Certificate of Insurance listing the Borough as additionally insured, representatives said they would provide this to Borough staff.

Manahan suggested PennDOT be contacted for any conflicts with the Route 16 construction project.

On a Kinzer/Burkholder motion, Council voted unanimously to authorize the request for participation in the June 5, 2021 *Good for the Sole* event allowing 12,482 pairs of donated shoes to be lined up along sidewalks throughout the Borough pending a Certificate of Insurance being provided to the Borough and PennDOT being notified of the event.

CONSENT AGENDA

On a Smith/Burkholder motion, Council unanimously voted to approve the minutes of the April 5, 2021 Council Meeting.

On a Kinzer/Burkholder motion, Council unanimously voted to approve the minutes of the April 14, 2021 Special Council Meeting.

Council accepted an anonymous donation for the Hometown Heroes banners.

On a Burkholder/Layman motion, Council unanimously voted to approve the appointment of Joseph DeGrange the Borough of Greencastle's Planning Commission to fill a vacancy effective August 1, 2021 to expire on December 31, 2023.

REGULAR AGENDA

Payment of Bills

On an Amsley/Smith motion, Council unanimously voted to approve the disbursements listed on the April 2021 Disbursement Report in the amount of \$102,774.82.

Kinzer publically stated his disapproval of the invoice submitted by the Borough Solicitor relating to questions raised by auditors regarding Stormwater refunds. Kinzer noted that the charges were inappropriate.

Layman asked which fund paid for the disbursements related to stormwater emergency repair. Little stated

the expense was charged to the Stormwater Fund. She noted that there were three costs on the check register: Contech Pipe at about \$600, Gano Paving replacement and repair for \$11,533, and then covert pipe from L.B. Water at about \$1600 for a total of \$13,796.85 for the emergency stormwater repair.

Layman noted that the stormwater drain at the west corner of Walter Avenue and Allison Street is collapsing and asked that Bob Manahan evaluate it.

Reports from Elected Officials

Mayor's Report

Mayor Thomas thanked Chief Phillippy for maintaining public safety services to the Borough with the department's limited staffing. He directed Chief Phillippy to contact PennDOT regarding Route 16/Dunkin Donuts to request the Highway Occupancy Permit and land development plan for that project. The Mayor then presented his report as submitted to Council and the audience. He recognized Little, noting the talents she possessed and brings to Council and congratulated her on her role as Borough Manager.

Chief's Report

Chief Phillippy echoed Mayor Thomas' report and noted the honor he shared in knowing John Kinney. He then provided highlights of his April report as submitted to Council and the audience.

Duane Kinzer noted that he witnessed several vehicles with expired inspection stickers along S. Carlisle Street. Chief Phillippy stated that this is not an enforceable violation. Little added that the Borough will cite such vehicles only when additional safety issues exist such as flat tires, infestations or broken glass. Kinzer requested the Code Enforcement Officer look at these vehicles.

Manager's Report

Little reviewed the information provided in her monthly report as presented to Council and Borough residents. Little provided updates on substantial construction projects and timelines for work currently occurring in the Borough including N. Carlisle Street, Route 16, and the Besore Library BMP. Little noted the excellent community response received relative to the updated curb and sidewalk letters, permit structure, and Public Works involvement. Little thanked the Public Works department, Brian Maynard specifically, for the installation of Hometown Hero banners and noted the anonymous donation to deploy the banners.

Committee Action

Administration & Finance

On an Amsley/Burkholder motion, Council voted unanimously to authorize progress payment #3 to PSI Pumping Solutions in the amount of \$27,000 for their work on the S. Carlisle Street Waste Water Pumping Station.

Personnel

On an Amsley/Smith motion, motion, Council voted 4-2, with Kinzer and Layman opposed, to approve adoption of Resolution 2021-02 amending the employee policy manual to provide paid leave and holiday time to identified part-time employees.

Little presented background on proposed Resolution 2021-02. As discussed with the Personnel Committee and Admin & Finance committees, this Resolution would apply to any part-time employee who worked more than 1300 hours (average of 25 hours per week) in the previous calendar year.

Kinzer agreed that police employees working a holiday should receive time and a half. He asked who tracks

the hours worked, Little stated it was a function of Human Resources. He asked if the cost was budgeted, Little indicated it was not.

Layman asked what the benefit of the proposed changes is and Little noted it would incentivize employee retention and that for the 2021 budget year it would cost no more than \$1,000.

Kinzer asked if Council was being asked to approve paying part-time employees holiday pay and Little said yes; that all borough staff are paid for holidays. He felt the police department personnel should be approved but that the borough portion should be tabled for further discussion.

Public Safety

Vice President Faight stated that yard waste needs to be added to the list of prohibited items for burning and that burn barrels are not prohibited in the current Borough Code.

On an Amsley/Burkholder motion, Council voted unanimously to authorize the creation of a Shade Tree Commission Right-of-Way Designation Appeal process.

On an Amsley/Smith motion, Council voted unanimously to approve the creation and advertisement of an ordinance amending the Code of the Borough of Greencastle, Chapter 190, "Vehicles and Traffic", Section 16 entitled, "One Way Streets" to designate Church Lane as one-way going Northbound from East Baltimore Street to East Madison Street.

On a Smith/Layman motion, Council voted 2-4, with Amsley, Burkholder, Kinzer, and Layman opposed, disapproving the creation and advertisement of an ordinance amending the Code of the Borough of Greencastle, Chapter 190, "Vehicles and Traffic", Section 12 entitled, "Turns restricted at certain intersections at certain times" to designate Linden Avenue as right turn only at the intersection of East Baltimore Street and Linden Avenue.

Joel Amsley asked if this would allow traffic to turn left traveling east which would then send traffic to Allison Street or up to Spring Grove which is already congested.

Mayor Thomas suggested the traffic counts for Franklin and Allison Streets would be important information for the Public Safety Committee to review and consider based on the safety concerns raised.

Amsley noted that vehicles parked on the N. side of Baltimore Street are a greater hindrance to traffic sightlines.

Albert Miller said that school buses coming out of the Orchards have a very tight turning radius that can create back-ups on Linden Avenue but moving traffic to other streets may not be a solution.

On an Amsley/Smith motion, Council unanimously approved the purchase of six (6) body cameras as budgeted in the 2021 Police department budget

Chief Phillippy stated that the Franklin County District Attorney's office provided a matching grant to the Greencastle Police Department allowing for the purchase. The system, equipment, hard drives, and training will be purchased at a cost of \$20,730 resulting in an estimated \$10,400 expensed from the Police Department budget.

Jan Shafer asked Mayor Thomas if he had reached out to other funding sources as he said he would at the October 2020 budget meetings. Thomas stated he did.

Jan Shafer asked Chief Phillippy why six cameras would be needed when patrols were limited to two offices as available. Chief Phillippy said the extra radios would cover multi-officer events such as Old Home Week in 2022, allow for charging of the units, and ensuring coverage if there are any maintenance issues with any of the cameras.

On a Smith/Burkholder motion, Council voted unanimously to authorize the Civil Service Commission to advertise and begin testing procedures for full time police officer candidates.

Chief Phillippy stated creating an eligibility list of qualified candidates is good management practice. Mayor Thomas confirmed that this is not a request to hire new officers.

Public Facilities

On an Amsley/Smith motion, Council voted unanimously to authorize ARRO Consulting to prepare bid specifications and approve the advertisement to bid the Besore Memorial Library Stormwater Management Improvements project pending final approval of the updated MOU.

Amsley noted that the important point to note is that the updated MOU removes the Borough from responsibility for Stormwater Management in perpetuity.

Kinzer asked if the Besore Library Board was in agreement with the plans and was told they were.

Layman asked if Public Facilities would get a copy of the MOU. Little said a copy would be provided to Council prior to approval.

On a Kinzer/Layman motion, Council unanimously approved the enactment of Ordinance 2021-02 as advertised, establishing a handicap parking stall at 38 N. Carlisle Street.

Community Development

On a Smith/Layman motion, Council unanimously voted to approve the subdivision-land development plan dividing the property at 113 E. Baltimore Street into 3 residential units and 1 commercial unit as reviewed and approved by the Planning Commission and the Zoning Hearing Board.

Little explained to Council that the permit was originally denied due to the project being greater than three units and was then sent to and approved by the Planning Commission. Plans were reviewed by ARRO and the project went before to the Zoning Hearing Board due to setback concerns relative to the parking area in the rear of the property. A three foot variance was granted.

Correspondence

Justin Hollingshead, Jayne Keller and G. William Thorne provided correspondence to the Borough prior to the meeting which will be forwarded to the Shade Tree Committee for follow-up. Little will also provide appeal forms and information to the residents.

Kinzer stated that Council has heard from Mr. Hollingshead on many occasions and a committee was created to meet with him which has not occurred.

Layman encouraged all legal property owners to utilize the permitting process through the STC so that he is aware of issues and concerns.

Vice President Faight stated that Council needs to more effectively communicate the STC permitting

process and better educate the community, as well. Council will work with individuals to address this situation.

Jayne Keller, 168 S. Washington Street, stated that the issues with the STC include right-of-way designations, the methodology used to make those determinations, and the method of asset valuation of trees. Keller stated there are many residents who share these concerns and the STC is not addressing them.

Public Comments

Eddie Baxter asked that people vote in the May 18 primary elections.

Final Comments

Layman: Thanked everyone for attending the meeting and looked forward to everyone voting on May 18.

Burkholder: Noted it was an excellent meeting and thanked everyone for coming out.

Smith: No further comment.

Amsley: No further comment.

Kinzer: Stated that if he is not on a committee that has action to be presented to Council, that information should be shared prior to meetings.

Irons-Zimmerman: Stated that Little gives every effort to her role as Borough Manager and that she is an excellent choice for the position.

Manahan: Stated that Little is excellent at what she is doing and that the public and the staff love her.

Mayor Thomas: Noted the good dialogue at the meeting and identified that a lot of attendees spoke and he hopes to meet with Angela Pearce about the tree issue she raised.

On a Kinzer/Amsley motion Council voted unanimously to adjourn the meeting at 9:09 p.m.

Respectfully submitted,
Donna E. Irons-Zimmerman
Borough Secretary