

**CAMP HILL BOROUGH COUNCIL
MINUTES OF THE REGULAR MEETING
2145 WALNUT ST. PROSSER HALL
CAMP HILL, PA 17011
July 9, 2008**

President McBride called the public meeting to order at 7:01 p.m. Present were:

President McBride
Vice President McLemore
David Buell
Deborah Donahue
Don Edwards
Aubrey Sledzinski
Wayne Weber, Jr.

Also present were Police Chief Jan Ammons, Fire Chief Mark Simpson, Solicitor J. Stephen Feinour, Mayor Lou Thieblemont, Borough Manager Gary M. Kline, and Borough Secretary Anne Shambaugh.

MINUTES

The minutes of the June 11, 2008 regular council meeting were presented.

- Motion made by Mr. Weber, seconded by Ms. Donahue, the minutes of the regular council meeting of June 11, 2008 were approved unanimously.

The minutes of the June 24, 2008 special council meeting were presented.

- Motion made by Mr. Weber, seconded by Mr. Edwards, the minutes of the special council meeting of June 24, 2008 were approved unanimously.

MAYOR'S REPORT

The Mayor thanked Mr. Kline for his remediation efforts in the garden adjacent to the borough administration building. The garden material would overflow during heavy rains but with the recent addition of garden stones, the problem has been alleviated.

The Mayor requested permission to join with the boroughs of Lemoyne and Wormleysburg in the pursuit of the Energy Harvest grant.

- Motion made by Mr. Weber, seconded by Mr. Sledzinski, for the borough to partner with the boroughs of Lemoyne and Wormleysburg in the grant study. Motion approved unanimously.

PUBLIC COMMENT

Mr. McBride stated Mr. Feinour prepared an opinion letter regarding the need for council members to recuse themselves from the vote on the Eisenhower School and Performing Arts Center project. The letter will be made a part of the minutes.

- Dr. Rakow, Market Street, explained to council she received a call from Chief Ammons regarding a rabid raccoon. The County called her to verify the animal tested positive for rabies and was euthanized.
- Matt Best, 118 S 16th Street, asked council members to review a brief update from CHEDG regarding proposed improvements to the Willow Park plaza. Mr. Best also attempted to explain the role of the Planning Commission in reference to council. He stated the planning commission made their recommendations to council based on the agreement of the proposed plan with the borough ordinances.
- Elaine Fagan, 208 N 30th Street, requested council review and approve the Eisenhower School project plan.
- Joe Hasher, 2003 Market Street, spoke on behalf of Betsy Gaynor to approve the Eisenhower School project.
- Anne Pickering, 550 Devon Road, stated she is in favor of the Eisenhower project and asked the borough to act on the plan tonight.
- Susan Smith, 319 N 24th Street, asked to see a full-scale copy of the lighting plan so comments could be offered.
- Mike Berney, 11 N 30th Street, requested the solicitor's letter be read aloud.

Mr. McBride stated the letter was received last night and would be made part of the minutes tonight. Mr. Feinour gave a brief summary of his opinion letter.

- Mollie McCurdy stated a decision should be made tonight. She also stated she is saddened by the attacks previously made regarding Mr. McLemore.
- Dillon Bernard presented a proposal for an Eagle Scout project to refurbish the World War II fire pit at Siebert Park. Mr. McBride stated the borough manager would review the project and notify him of approval/denial.

Mr. Edwards stated the Recreation Commission discussed this project at a recent meeting and wanted to find someone to do the work.

- Motion made by Mr. McLemore, seconded by Ms. Donahue, to approve the project contingent upon approval by the borough manager, solicitor and engineer's review. Motion passed unanimously.

PLANNING and ZONING

Mr. Matt Pisco presented the Sunoco Land Development plan to Council for its review and approval.

Mr. Pisco explained Sunoco and borough representatives met with Penn DOT per Council's request regarding the placement of a median along Market Street. After discussion within the Sunoco organization, they decided to submit the plan without the median strip due to financial implications to the project. Mr. Pisco stated "No Left Turn" signs would be placed at the Market Street entrance/exit and that the site complies with all applicable ordinances.

Ms. Donahue asked if the Highway Occupancy Permit had been approved. Mr. Pisco stated the Traffic Impact Study had been presented to Penn DOT and if council approves the plan tonight, the HOP will be submitted.

After extensive discussion regarding a median strip and/or bollards along Market Street Mr. McLemore made a motion to approve the plan.

- Motion made by Mr. McLemore, seconded by Ms. Donahue, to approve the Preliminary/Final Land Development Plan for the Sunoco project subject to satisfaction of the borough engineer's comments particularly numbers 2, 3, 5, 6, 7, 8, and 9; the HOP being issued by Penn DOT; and furnishing of necessary financial security in accordance with SALDO. After a brief discussion, motion passed 6-1.

PUBLIC SAFETY

Chief Simpson and Dave Apgar made a presentation to council regarding the purchase of a new ladder truck. The borough set aside funds for the purchase of the fire truck in 2009; however, the fire company would like to purchase the truck this year and is requesting council release \$122,500 (amount allocated in the 2008 budget) now for the purchase of a demo/used fire truck in the amount of \$789,000.

After a brief discussion, Mr. McBride asked what amount the fire company had set aside and Mr. Simpson stated \$400,000. He stated the fire company would be financing approximately \$189,000.

- Motion made by Mr. Buell, seconded by Mr. Edwards to appropriate \$122,500 to the fire company for the purchase of a Quint Fire Apparatus. Motion passed unanimously.

PLANNING and ZONING

Mr. Kurowski of K&W Engineers, Inc. presented council with revisions to the Eisenhower School plan based on discussions and recommendations from the June 24, 2008 public meeting.

Mr. Kurowski pointed out Note #8 on Sheet 9 was added regarding the removable bollards in a heavy traffic situation as well as the addition of a sign at Lincoln Street and the paper alley to delineate no thru traffic. Mr. Kurowski stated all comments and concerns previously discussed have been addressed on the revised plans.

There was extensive discussion regarding comments received from Penn DOT regarding the Traffic Impact Study for this project. Mr. McBride stated he is concerned with the information received from Penn DOT. Mr. Kurowski stated their traffic professionals have reviewed the comments from Penn DOT and believe the responses will fully address their concerns. Mr. Malarich stated the concern is the safety of the children walking to school across 21st Street. He also stated although the comments may be easily addressed, the applicant still needs to respond to the items. Mr. Malarich stated he wants to hear from Penn DOT if a waiver is requested/required.

Jason from Traffic Planning and Design stated the recommended walking route plan is provided to families every year. These will be provided to Penn DOT during the HOP phase. The information will include the route, pedestrian enhancements as well as signage.

Mr. Kurowski stated he understands council's concerns; however, the applicant has to adhere to Penn DOT's recommendations and requirements. Mr. Kurowski asked what happens if conditional plan approval is granted and the changes are needed to the plans. Mr. Feinour stated the project must be constructed in accordance with the final plan approval and if significant changes are needed, a revised plan must go back to the planning commission and council for approval.

Mr. Kurowski stated if Penn DOT states mitigation is required, it must be done.

PUBLIC COMMENT

- Susan Smith, 319 N 24th Street, stated residents should be allowed to express their viewpoint, regardless of what it is. She asked about the diminished lighting in the evening and stated the plans do not show any shields. She also asked if the distance could be extended from the N 23rd Street entrance. Mr. Malarich stated the last sheet in the plan addresses the standards for the lighting. Mr. Kurowski stated page 8 of 10 of the plans addresses Mr. Malarich's comments and concerns. He stated an additional note can be added to the plan regarding the timers.
- Bill Botonari, 37 S 24th Street, stated he has attended many meetings regarding this project and congratulates council members on their pursuit of safety.
- Abby Gurgiolo, Arlington Road, stated she is a 5th grader and rides her bike to Hoover Elementary. She stated she thinks council should vote tonight.
- Dave Stahl, 853 Wynnewood, stated this process was started when his son was in Elementary School and he is now in Middle School. He stated the traffic and safety have always been a concern and any problems or even the death of a student would be a horrible price to pay. He stated traffic is a problem in Camp Hill and ensuring safe routes is important in the planning process.

- Melanie Gurgiolo, Arlington Road, stated a large number of students are going to school early due to clubs or activities so the children will be staggered. She noted there is two-way traffic at every school but kids travel in all directions. She asked council to please vote tonight. She thanked Mr. McLemore for doing his job.
- Todd Shively, 331 N 24th Street, stated if council has problems making a decision without hearing from Penn DOT, they could deny the waiver for preliminary/final or attach additional contingencies to the plan. Mr. McBride stated safety is paramount. The safety of the students as well as everyone in town. The stated he fully supports the project but is all about safety.

Mr. Feinour asked if the applicant was still requesting a waiver of Section 406 of the SALDO regarding financial security.

Mr. Kurowski stated it is his understanding the applicant must put up a bond for public improvements. Since the school district is a public entity, they are requesting a waiver of the need for financial security.

Mr. Feinour stated the reason for having a bond or letter of credit ensures if the repairs are not completed the borough could draw on the letter of credit.

Mr. Stewart stated the contractor also has to supply and provide bonds necessary so there would be two bonds. Mr. Stewart stated the school district could write the bond.

Mr. Weber stated he does not understand how waiting another thirty days would delay the project significantly.

Mr. Kurowski stated that bidding the project at a later date means more money and delays the opening. Ms. Kindler stated the school is projected to open in fall 2010 and it is imperative for council to approve this request.

Mr. Sledzinski asked if the project could be “bid” prior to final approval. Mr. Kurowski stated it could, but the construction/bidding documents are only good for a certain number of days and if construction does not begin, the contract would need to be re-bid. Mr. Kurowski stated the estimated schedule/timeline includes a window for the HOP process.

Mr. Feinour stated since there is flexibility in accepting what financial security is offered he recommends council not approve a waiver of this requirement.

- Motion made by Mr. Buell, seconded by Mr. Edwards, to approve the waiver of section 404 of the Camp Hill SALDO regarding the preliminary plan requirement. Motion passed 5-2.
- Motion made by Mr. Buell, seconded by Mr. Edwards, to approve the waiver of 608.1 and 608.3 of the Camp Hill SALDO requirement for impervious concrete sidewalk within public right of way. Motion passed unanimously.

- Motion made by Mr. Buell, seconded by Ms. Donahue, to approve the waiver request from section 502.3A of the Camp Hill SALDO for minor street width and section 502.4F requirement of 40 foot wide radius cul-de-sac turnaround. Motion passed unanimously.
- Motion made by Mr. McLemore, seconded by Mr. Edwards, to deny the waiver request and accept financial security in the form of a bond, as offered by the school district, pursuant to section 406 of the SALDO. Motion passed unanimously.
- Motion made by Mr. Buell, seconded by Mr. Edwards, to approve the Preliminary/Final Land Development and Lot Add-On Plan for the Eisenhower School project with the stipulation the applicant meet all conditions stated in the final decisions of the March 4, 2008 Zoning Hearing Board, the June 3, 2008 Planning Commission meeting, and the Penn DOT Highway Occupancy Permit and Traffic Impact Study requirements, the items in Mr. Malarich's comment letter dated June 3, 2008, the approval of the Erosion & Sedimentation control plan from Cumberland County Conservation District in accordance with Section 501.B of the Camp Hill Zoning Ordinance, issuance of the NPDES permit for stormwater discharge during construction, approval of the sewage facilities planning module by PA DEP, and submission of an application to Penn DOT for flashing warning device permit plan for 15 mph school zone speed limit along 21st Street. Motion passed 6-1.

The Mayor presented the Police Department report for the month of May 2008 and Chief Simpson presented the Fire Department report for the same time period.

Mr. Feinour presented the proposed changes to the Civil Service Agreement to members of council. He is recommending changing Public Safety Officer to Patrol Officer as well as broaden the non-discrimination clause to include sexual orientation verbiage.

Mr. Buell asked if these changes need to be advertised and Mr. Feinour stated they did not as they are part of rules and regulations and not an ordinance.

- Motion made by Mr. McBride, seconded by Mr. Sledzinski, to approve the proposed amendments to the Rules and Regulations of the Camp Hill Borough Civil Service Agreement. Motion passed unanimously.
- Motion made by Mr. McBride, seconded by Mr. Edwards, for the Police department to contact the Civil Service Commission to begin the transition process for the Public Safety Officers to Patrol Officers. Motion passed unanimously.

Mr. McBride stated council will take a short recess. Council broke at 9:35 p.m.

Council reconvened at 9:42 p.m.

PUBLIC SAFETY

Mr. Thieblemont stated the Police report is in your packet. Mr. McBride stated the Fire Department report is in your packet.

BOROUGH MANAGER'S REPORT

Mr. Kline presented the Treasurer's report for May 2008 detailing all financial transactions for that time period.

Mr. Kline requested approval of a resolution authorizing the President of Council to sign agreements for the Growing Greener II grant for Beverly Park.

- Motion made by Ms. Donahue, seconded by Mr. McLemore, to authorize the President of Council to sign all agreements for the Growing Greener II grant for Beverly Park. Motion passed unanimously.

HEALTH & SANITATION

Mr. Buell presented the monthly report and daily flows to Council.

Mr. Buell requested approval to pay the invoice to the Lemoyne Municipal Authority in an amount not-to-exceed \$21,341.03 for Act 537 Phase II expenditures.

- Motion made by Mr. Buell, seconded by Mr. McLemore, to approve payment of the invoice to Lemoyne Municipal Authority in an amount not-to-exceed \$21,341.03 for Act 537 Phase II expenditures. Motion passed unanimously.

GENERAL GOVERNMENT

- Motion made by Mr. McLemore, seconded by Mr. Sledzinski, to approve the meeting dates included in your packet. Motion passed unanimously.

FINANCE

Ms. Donahue presented vouchers for payment in the amount of \$341,040.32.

- Motion made by Ms. Donahue, seconded by Mr. Buell, to pay vouchers in the amount of \$341,040.32. Motion passed unanimously.

INFRASTRUCTURE

Mr. Kline presented the monthly report to Council as well as the Engineer's report.

Mr. Malarich stated the bid opening for the SRTS project is set for Tuesday, July 15th with a special council meeting scheduled for July 16th at 12:00 to award the contract.

PERSONNEL, POLICIES and PROCEDURES

Mr. Malarich stated the personnel manual is near completion. Benefits for the non-union employees will be restructured. In addition, a committee for the police contract was appointed.

INFORMATION TECHNOLOGY

Mr. Weber stated the report is in the packet and the street sweeping change will take effect August 4, 2008. The street sweeper will follow the trash collection one day after pick-up.

PARKS and RECREATION

Mr. Edwards presented the monthly report to Council. He stated there is a box lunch review on Friday, July 11, 2008 at Willow Park and Movie Night on Saturday, July 12 at Siebert Park.

- Motion made by Mr. Edwards, seconded by Mr. McLemore, to approve the request from the Camp Hill High School Boosters to hold their annual "end-of-camp" party at the pool on Friday, August 1 from early evening until dusk. Motion passed unanimously.
- Motion made by Mr. Edwards, seconded by Mr. Buell, to begin the Request for Proposal feasibility study for the pool. Motion passed unanimously.

PLANNING and ZONING

Mr. Sledzinski presented the monthly report to Council. He announced there will be a joint meeting of the Planning Commission and Borough Council on Tuesday, August 19 at 7:00 p.m. to discuss the comprehensive plan.

- Motion made by Mr. Sledzinski, seconded by Mr. McLemore, to hold a joint meeting with the Planning Commission on Tuesday, August 19 at 7:00 p.m. Motion passed unanimously.

- Motion made by Mr. Sledzinski, seconded by Mr. McLemore, to approve the change to Ordinance 187 regarding Shade Tree appeals. Motion passed unanimously.

PUBLIC WORKS

Mr. Weber presented the monthly report to Council.

PUBLIC COMMENT

- Jack Sellers, 312 N 17th Street, commended council for standing up to the school district engineer and making them accountable.

Mr. McBride thanked council for their hard work and diligence over the last several months.

There being no further business to discuss,

- Motion made by Mr. Sledzinski, seconded by Mr. Weber, to adjourn. Motion passed unanimously and adjourned at 10:00 p.m.

Respectfully submitted,

Anne Shambaugh, Borough Secretary