

BOROUGH COUNCIL OF CAMP HILL  
MINUTES OF REGULAR MEETING

September 8, 2004

2145 Walnut Street, Prosser Hall  
Camp Hill, Pennsylvania 17011

Council President Smith called the public meeting to order at 7:00 p.m. *Present were:*

<i>Liesl Beckley</i>	Dave Buell
Debbie Keys	Richard McBride
Jeffrey Smith	Brian Mussehnan

Absent: Burke McLemore

Also present were Mayor Douglas Morrow, Tim Maro, Acting Borough Manager; Jan Ammons, Police Chief, J. Stephen Feinour, Borough Solicitor, James Bennett, Codes Officer.

Jeff Smith presented the minutes from the July 14, 2004 Council Meeting. Corrections were noted on page 4, "Camp Hill Safety Committee" and page 6 the Adopt a Project program should read "Luis Fenicle." Debbie Keys motioned for approval of the minutes and Liesl Beckley seconded the motion. The minutes, with corrections noted, were unanimously approved.

#### MAYOR'S REPORT

Mayor Morrow presented recommendations regarding temporary signs, and Mr. Smith referred these to Planning and Zoning for review and recommendations to Council.

#### MANAGER'S REPORT

Tim Maro distributed copies of the manager's reports for July 2004 and August 2004. They were made part of the minutes.

Tim Maro reported Ed Knittel's surgery went well. Jeff Smith presented Edward J. Knittel's resignation effective October 18, 2004. Ed Knittel's last day at the borough office will be September 17, 2004. It was motioned by Liesl Beckley (with regret) and seconded by Deb Keys to accept Mr. Knittel's resignation and approved unanimously. Jeff Smith suggested Council appoint Tim Maro Acting Borough Manager and Secretary. Liesl Beckley motioned to do so and David Buell seconded. All unanimously approved.

## VISITORS

Council President Smith announced at the beginning of the visitor section that visitors wishing to address Council should do so now, in the visitors portion because, at the request of Council and in conformance with standard practice in other municipalities, visitors would not be recognized for comment once the Council entered its regular business session of the meeting.

President Smith introduced Mr. Leslie Bishop. Mr. Bishop, on behalf of the Lions Foundation, presented a gift of new visitors' bleachers for the football field at Siebert Park. Mr. Smith thanked Mr. Bishop for *the* Lion Foundations generous gift to the Borough and School District and indicated that acceptance of the gift would be acted upon later in Council's business session.

Ms. Helen Sarraf of 430 *Appletree* Road presented her concerns of runoff water going into her yard from her neighbor's due to recent construction. Jeff Smith referred this issue to the Planning and Zoning Committee to investigate and to report back to council next month.

Mr. Keith Yorks, 234 South 15<sup>th</sup> Street, inquired about update for Schaeffer Alley storm water issues. Brian Musselman will *notify Mr. York's of a meeting* with the Public Works Committee to be held within the next few weeks to address these issues.

Mr. Aubrey Sledzinski of 400 N. 17<sup>th</sup> Street asked why the August meeting was cancelled and asked if meeting would be rescheduled. Jeff Smith responded that meeting eras cancelled due to the unavailability of council members and would not be rescheduled. I&. Sledzinski also asked whether or not his appeal to the Zoning Hearing Board would stay any further action on the Corner's development. Mr. Smith advised Mr. *Sledzinski to* seek legal advice from his own attorney on that issue.

Ms. Jackie Magaro of 3416 Bedford Drive brought her objections *to council* regarding the "No Right Hand Turn" action taken along SR 11115, stating that businesses in the area were not considered. Ms. Magaro also raised the issue of recent Council minutes not being available on the web page. Jeff Smith was unaware of the minutes not being available and will make inquiry before next Council meeting. Discussion followed

W. Steve Knaub of 120 S. 30<sup>th</sup> Street expressed his objection regarding the "No Right Hand Turn" action and stated that he received a warning from borough police. Discussion followed

Mr. John Shavinsky of 2&00 Fairview Road expressed his thanks to the police for helping with the traffic on Fairview Road and Creek Road, where speed has been reduced.

Mr. Bill Joachin of 3 101 Yale Avenue, expressed his support and thanks for the "No Right Hand Turn" signs. Neighbors who could not be present also expressed their gratitude for the signs. George Geisler also spoke in favor of the No Right Turn restriction and reported a noticeable decrease in through traffic.

Mr. Dave Moyer of 1605 Myrtle Avenue expressed concern for the overgrown property on N. 17<sup>th</sup> street. Mr. James Bennett stated *the issue is* being worked on.

Ms. Susan Fickes - Mayfred Lane expressed her concern regarding the soccer club's failure to follow rules for use of the Farm Bureau field previously agreed upon. Parks and Recreation will see that the Club President, Mr. Fonte, conveys these rules down to coaches. Liesl Beckley will follow-up on this issue.

Mr. Floyd Focht of 237 S. 16th St. expressed his opinion that police citations *for people* parking on the wrong side of the *street* and vehicles not licensed were issued inconsistently. Discussion followed

There being no further comments from the audience, Council proceeded to its regular business session.

BID OPENING: Sale of Surplus Bleachers

## PLANNING & ZONING-

Mr. Bob Fisher- civil engineer for Rhodes Construction-- presented the Final Subdivision and Land Development Plan for the Rhodes N. 17<sup>th</sup> Development (the "Rhodes Development") to Council for review and approval.

Sheet 1 of the Plan includes a request for five waivers from provisions of the Borough Subdivision and Land Development (SLD) Ordinance.

The Camp Hill Planning Commission recommends approval of the Plan and waivers. The Borough's engineer has reviewed the Plan presented and confirmed that the Plan complies in all respects with the Borough's SLD except for the five waivers sought.

Waiver 1 -Section 404, pertaining to submission of a separate preliminary plan. The developer is proposing to combine his preliminary and final plans. Mr. Malarich indicated this to be a common waiver. Liesl Beckley motioned to approve this waiver, Deb Keys seconded, and the motion was unanimously approved.

Waiver 2 - Section 607 - Curbing along N. 17<sup>th</sup> access drives - pertaining to curbing. Mr. Malarich indicated that he felt the drainage for water runoff from the street would be improved by the absence of curbing. Liesl Beckley motioned to approve and Ms. Keys seconded. Discussion followed. The waiver was unanimously approved.

Waiver 3 - 502.11c (1) - pertaining to submission of a multi-family access driveway width. The Borough's Ordinance requires a 22 feet wide width for a two way drive. The developer is proposing a one-way egress driveway of 12 feet. No access is being provided at this point to discourage cars heading south from stopping or slowing to turn in here on the down slope

of a hill. Liesl Beckley motioned to approve the waiver, Deb Keys seconded, and the waiver was unanimously approved.

Waiver 5 - 507.2 --- storm water runoff rate. The developer has installed storm water retention facilities to keep the post-development, 10-year storm runoff rate to 1.3 cubic feet per second and has made the changes requested in our March 15<sup>th</sup> review letter to allow for increased on-site infiltration. The storm water runoff from the site will discharge into the Borough of Lemoyne's storm sewer system. Lemoyne has agreed to accept this discharge. Deb Keys motioned to approve storm water runoff rate waiver, Liesl Beckley seconded, and the waiver was unanimously approved.

Waiver d - 608 - Developer is proposing sidewalks only for the first 200 feet of frontage and is requesting a waiver of this requirement for the remaining frontage along N. 17<sup>th</sup> Street. Considerable discussion ensued as to the advisability of waiving or requiring sidewalks along all or various portions of the Rhodes property along N. 17<sup>th</sup> Street. Waiver of the sidewalks would allow for a wider area in which to mound the earth and place more plants to screen the development from view from N. 17<sup>th</sup> Street. On the other hand, concern was expressed that sidewalks should at least be extended to the northernmost egress drive so that persons walking *out of the* development from there would have sidewalk instead of road to walk on when heading south toward schools and town center. It was also discussed whether or not the sidewalks should be extended all the way to the northernmost reach of the property, even though there were no sidewalks further north to connect to. Liesl Beckley motioned to deny the waiver as requested under section 608 for the sidewalk, but to grant the waiver of the sidewalk requirements north of the northernmost egress drive. This motion was seconded by Deb Keys and approved by vote of 5 to 1, with Mr. Buell voting no.

At this point of the meeting, several residents expressed frustration at not being allowed to speak during this portion of the meeting. Council President Smith opened the meeting for public comment. Several residents expressed objection to waiver of the full sidewalk requirement, and some expressed opposition to the development and its layout. After further discussion among residents, applicant and Council regarding these issues, Council President Smith asked Council members if there was anyone who wished to offer a motion to modify any of the waiver decisions made to that point. No one offered any such motions.

Mr. Smith asked if there was a motion to approve the Plan with the waivers just acted upon. Ms. Keys moved to approve the Final Subdivision and Land Development Plan for the Rhodes Development along N. 17<sup>th</sup> Street, with the waivers as granted, conditioned upon Rhodes compliance with the DEP Sewer Module Requirements noted in said plan. The motion was seconded by Ms. Beckley and approved by vote of 5 to 1 with Mr. Buell voting no. Mr. Rhodes indicated acceptance of the conditions of the plan approval

## HEALTH AND SANITATION

Mr. David Buell presenting the monthly reports, which were made part of the minutes.

Engineer's Report - Jeff Smith requested Mark Malarich to review the lifting of the sewer moratorium - PA-DEP correspondence dated August 19, 2004. Lemoyne was able to revise its hydraulic volume numbers from prior Chapter 94 reports and persuade DEP that the facility was not hydraulically overloaded under DEP regulations. Accordingly, the moratorium has been lifted. Mr. Smith, however cautioned that the sewer facility is aging, that hard rain episodes push the plants capacity, and that DEP is coming out with new, stricter effluent standards for various elements so that the facility will need to be upgraded in the near future. Lemoyne, Camp Hill, and Wonnleysburg have and will continue to meet to plan how to meet these needs. Mr. Smith asked for a motion to direct the Borough Engineer to prepare an Act 537 scope of study to in order to apply for an Act 537 needs study grant that will continue the planning effort to determine Camp Hill Borough's needs and the expansion of the treatment plant. Dave Buell motioned for a preliminary scope of study in preparation of grants, seconded by Deb Keys. Motion was unanimously approved. Health and Sanitation *will meet as a committee to go over draft and make a recommendation at next council meeting.*

Final payment South 3e Project this was referred to legal counsel and will be discussed in executive, Lemoyne Municipal Authority meetings July 7, 2004 and August 11, 2004, were presented--LWTP Annual Report and September Monthly Report and minutes were also submitted for the record.

## GENERAL GOVERNMENT

Deb Keys distributed the monthly report and it was made part of the minutes

Deb Keys presented the monthly schedule of meetings (1) WSCOG: September 20, @7:00 pm. (2) announced the Planning Commission: 14 September [7a 7:00 pm (3) Market Street Design Review September 16 @ 8:30 am (4) Camp Hill Safety Committee meeting: September 23 rr at noon (5) Great Road Arts and Craft Festival: September 18, = 9:00 - 4:00 pm (6) Council Budget Workshop meeting: September 29, @ 7:00 pm Health & Sanitation Comm. Meeting w/health board: September 13, 2004 @4:30 pm

Deb Keys reported that the General Government Committee interviewed several excellent candidates for the vacancy on the Borough Civil Service Commission, and recommended the vacancy be filled by Mr. David Wemer for a six year term. Motion was presented to council to approve this appointment by Ms. Keys, seconded by Ms. Beckley and unanimously approved.

Deb Keys presented the Maintenance, Indemnification & Easement Agreement with Talpier Associates for Talbots -Pier One for abridge between the 2 buildings. Stephen Feinour stated it had been reviewed by himself and by Mark Malarich and was satisfactory to both.

Debbie Keys motioned to approve the agreement. This was seconded by Liesl Beckley and approved unanimously.

Debbie Keys presented the notice of a \$10,000 DCED Lrrant award for computer related improvements acquired with help from Senator Mowery. Council will send a letter of appreciation. Penn DOT requested any changes for its Betterment Program Candidate. August 14 2004. Tim Maro reviewed last year's list and stated nothing; in the works for this year.

Deb Keys presented the Cumberland County Funding for Community Development and Housing Proiect correspondence. No action was needed.

Ms. Keys presented Resolution 2004-4, a resolution of the Borough of Camp Hill, Cumberland County, Pennsylvania, approving the removal and sale of surplus bleachers. Two amendments *were proposed*: revise 3rd paragraph - insert dispose of by sale or otherwise if no bids and add that if there is no such bidder the property shall be disposed of properly; revise paragraph 4t' -add dispose of by sale or *otherwise*. *Mayor Doug Morrow clarified that* his company would be donating man-hours to remove the bleachers and that the bleachers would be disposed of properly. Upon motion by Debbie Keys and second by Liesl Beckley to approve and adopt the resolution, as amended, Council voted unanimously to approve..

Debbie Keys presented vouchers for August of \$166,433.79 and *September of \$78,756.30* and motioned *to approve payment* of both. Liesl Beckley seconded and the Council voted unanimously to approve. Ms. Keys noted the absence of check *registers for August, 2004* and September 2004 in Council's packet and asked she be provided with them.

## PUBLIC SAFETY

Rick McBride submitted the monthly reports of the Camp Hill Fire Company and Police Department and they were made part of the minutes. Mr. McBride commented that progress that was being made on Fairview and Creek Roads regarding speeding and that he will keep Council posted on this matter. He also noted that the Public Safety Committee will be meeting within the next couple of weeks, and will have a recommendation for Council in October as to whether or not further action or modification should be taken on the No Right Turn issue.

## PARKS & RECREATION

Liesl Beckley presented the monthly report and it was made part of the minutes. Liesl Beckley acknowledged receipt of a donation in the amount of \$1,000.00 from the Camp Hill Swim Club. Ms. Beckley will send a letter of thanks to the club.

Ms. Beckley presented a request to hold the Relay for Life event in the Borough (as was done last year). The date requested is June 24-25, 2005, from noon to noon. Liesl Beckley motioned for approval subject to same terms as previous year, including standard insurance requirements. Dave Buell seconded and the motion was approved unanimously.

Ms. Beckley presented the offer of a conservation easement from Dr. Allyn of 495 N. 25th [St.](#) [to](#) give the borough a portion of his land bordering Siebert Park. Discussion occurred. Liesl Beckley reviewed the offer with Borough staff and concluded that; given the extreme slope of the land offered maintenance would be difficult and there would be no benefit to the park. Motion was made by Liesl Beckley and seconded by Ms. Keys to reject the offer. The motion was approved unanimously. Ms. Beckley will respond to Dr. Allyn's lawyer thanhirg hi-in for presenting the land. but advising that the Borough will decline acceptance.

Liesl Beckley informed Council that the recreational Department has received deposits from all community groups using the Prosser Hall except one group. She did not wish to identify the group in public, but will send a reminder letter and giving the group a cut off date for use of the facility if a deposit is not received. Deb Keys motioned to approve, Dave Buell seconded and all approved.

Liesl Beckley presented the gift from the Lion Foundation of the new visitors' bleachers for Seibert Park.. Motion was made by Liesl Beckley and Deb Keys seconded to accept the gift and allow the installation. The motion was approved unanimously.

### PUBLIC WORKS

Brian Musselman submitted a monthly report, and it was made part of the minutes.

Mr. Musselman noted that Pennsylvania American Water planned to install a bigger water service line between 15<sup>th</sup> and High street and will pave the alley as a result..

Tim Maro presented the Penn Dot Winter Maintenance Agreement for 2004. This is the standard agreement utilized every year to allocate snow-plowing duties. Brian Musselman motioned to approve, Debbie Keys seconded, and the motion was approved unanimously.

Council went into executive session at 9:45 pm. To discuss legal and personnel matters.

Council returned from *executive session at* 10:50 pm and the meeting was adjourned.

  
Secretary