

Jacobus Borough Council Meeting
Meeting Date: May 4th, 2022

Call to Order

Council President Sandy Sheffer call the meeting order at 7:00 p.m.

Opening Invocation and Pledge of Allegiance

Invocation was offered by Council President Sandy Sheffer followed by the Pledge of Allegiance.

Roll Call

Present were Sandy Sheffer, Greg Gruendler, Lance Beard, Solicitor Sarah Doyle, Jill Conner, Phyllis Bowers, Jeff Hammers, Donald Wright, and Dawn McElhiney.

Minutes and Treasurer's Report

- Minutes of April 6th Council Meeting – Donald Wright made a motion to approve the April Council Meeting minutes as presented. The motion was seconded by Jill Conner. Motion carried unanimously.
- Treasurer's Report – Profit & Loss Statement along with all bank account summaries were reviewed by all present on Council. A motion was made by Donald Wright to approve the Treasurer's Report as submitted. The motion was seconded by Dawn McElhiney. Motion carried unanimously.

Persons on the Agenda/Public Comment

- Joe Royer, Jacobus Jackals – Mr. Royer was present to request a waiver of the fee for using the baseball field. Lance Beard questioned whether the Jackals will be maintaining the field, and Mr. Royer reassured that the team does regular maintenance on the field. Donald Wright made a motion to waive the fee for use of the baseball field for the Jackals providing that they do general maintenance of the field. The motion was seconded by Phyllis Bowers. Motion carried unanimously.
- Mary Bryant, resident at 22 Valley Road – Ms. Bryant presented that she is having “issues” with her neighbors in the house behind her at 9 United Avenue. The problems started when the said neighbor had reached over the fence and cut down her bushes. This happened about two years ago and she had called the police at that time who advised her to put up “No Trespassing” signs. Borough representatives (Donald Wright and Roger

Coleman) were also present to witness the incident. Three weeks ago, Ms. Bryant called the police again because the neighbor is stealing the “No Trespassing” signs and the situation is now escalating as verbal threats are yelled over the fence. There is also now a trench that is dug out back which Ms. Bryant believes to be there to “trip” her. Ms. Bryant brought along another neighbor (Allan P.) to testify that she “doesn’t bother anybody” and that she is “not crazy”. Ms. Bryant is requesting that the Borough sends someone out to investigate and take action on the said neighbor. Attorney Doyle informed Ms. Bryant that the Borough is permitted only to enforce ordinances. The Borough had already sent out its Code Enforcement Officer who had determined that there was no violation of any ordinance that could be seen. In addition, the Borough cannot prevent someone from trespassing. Therefore, there is nothing that the Borough can do at this time. Attorney Doyle suggested that Ms. Bryant consult an attorney who will be able to advise her on whether this case is a civil or criminal matter. Donald Wright reiterated that Borough Council has no power to help her. And Jeff Hammers stated that there is nothing that the Borough can do, and to hire an attorney.

- Earl Click, Jacobus Lion’s Ambulance Club – Mr. Click presented the April Report for the Ambulance Club. In April, the ambulance received 138 calls, of which 82 were for Advance Life Support (ALS) and 56 were for Basic Life Support (BLS). About 6% of these ambulance calls were for Jacobus Borough. There were eight missed calls due to not being on another call or “Out-of-Service”. There were no calls that the Fire Station had to respond to for the month of April.
- Steve Overmiller, Goodwill Fire Co. – Mr. Overmiller announced that the Fire Company will be having two fund raising events in May. There will be a “Cash Bingo” on Saturday, May 7th at 7:00 p.m at the Fire Hall, and a “Food Truck Event” on Sunday, May 15th from 11:00 a.m. to 4:00 p.m on the field behind Fire Station.
- Robert Behler, Dave Koratich, Troy Bankert, Warehaus AE – Mr. Behler presented the House-of-Hope project. (Prior to the start of Mr. Behler’s presentation, Keith Hunnings the Borough Code Officer joined via phone). House-of-Hope, a non-profit organization, was willed a property at 23 S Pleasant Avenue. This property had acted as the corporate office of Smith Village for years. House-of-Hope now would like to use this building as their office as well. The representatives of House-of-Hope presented that there will not be any site improvement work, just interior renovations. Therefore, they would like to ask Council for a Land Development Plan waiver. Per the American Disability Act (ADA) requirements, a concrete

ramp will be built for wheelchair accessibility. This ramp will total 17-square feet, thus falling under any stormwater requirements. Occupancy Permit drawings as prepared by Warehaus had been submitted to Site Design Concept, South Penn Code Consultants, and the Borough, along with a formal Waiver Request citing Section 215-16, Land Development Plan Submission. Attorney Doyle reiterated that the property is being improved for non-residential purposes, with no site improvement just substantial interior renovations. Therefore, a building permit will still be required. Based on the information presented by Warehaus representatives and what was covered by Attorney Doyle, the Borough's engineer on record, Grant Anderson, recommended that the Land Development Plan requirement be waived for the House-of-Hope project. Keith Hunnings concurred. A motion was made by Donald Wright to approve the Land Development Plan waiver for the House-of-Hope project as proposed, providing that the renovations are all interior in nature, staying within the existing footprint of the building with no additional site improvements. The motion was seconded by Jeff Hammers. Motion carried unanimously.

- Grant Anderson, Site Design Concepts – Mr. Anderson reported the following:
 - Greenbriar/Geiselman Drives – the site contractor, R Work Excavating, completed inlet installation on Greenbriar Drive May 2nd and 3rd. Long's Asphalt is now scheduled to perform milling for both streets on May 16th, 17th, and paving on May 18th, 19th.
 - York Water Company (YWC) – Mr. Anderson received a Street Opening Permit application from York Water Company to replace the water main on Geiselman beginning June 1st 2022 and projected to complete by the end of June. Mr. Anderson had discussed with YWC the conflict of Geiselman to be newly paved two weeks prior to the start of their project. Mr. Anderson had also discussed this issue with Long's Asphalt who had agreed to delay the milling and paving of both Geiselman and Greenbriar for two weeks to accommodate the YWC's water main project. However, Long's Asphalt made clear that the cost of asphalt is rising very quickly and a change in price will have to be considered in order to delay the work. YWC had offered to pay for up to half of the cost of the street project that has to be delayed for their work. Donald Wright requested that Mr. Anderson propose to YWC for cost sharing on the Geiselman Drive resurfacing in addition to addressing the asphalt price increase for Greenbriar Drive since both streets were bid together and Long's would have to postpone resurfacing both projects. Attorney Doyle was instructed to

prepare documents with all terms when both parties have agreed upon an agreement.

- Street Maintenance assessment/schedule – Mr. Anderson reported that his firm is working on inspecting the conditions of all the streets in the Borough and compiling a report for all the data collected. Preliminary data shows that Ameda Drive will be of top priority for maintenance followed by Wildasin.
- Paving quotes – two phone quotes were obtained from Long’s Asphalt. The first quote was for milling/paving of North Cherry Lane from West Meadow Street by Smith Village to Water Street. The quote for this work was \$20,900. The second quote was for milling/paving of the parking lot by the Borough Office. The quote for this work was \$16,700. The quotes for both were above the bid threshold. Therefore, Donald Wright made a motion to authorize Grant Anderson to send out for a full bid for both these paving projects at North Cherry Lane and the Borough Office parking lot. The motion was seconded by Dawn McElhiney. Motion carried unanimously.
- Main Street, PennDOT’s resurfacing project – at last Council Meeting, Mr. Anderson was instructed to delay contacting a third party utility locator for the traffic loop on Main Street. The Borough had contacted it’s traffic signal contractor, Milt’s Repair Service, who had agreed to mark the location of the traffic signal loop prior to the project, and Site Design Concept will record the location for the Borough’s records.
- 5 Woodland Dr – Mr. Anderson reported that there does not appear to be any more water seeping through the road at this location. However, Jill Conner reported that occasionally there is still wetness on the road, at a location further down than previously noted. Mr. Anderson will further investigate this issue.
- Storm sewer maintenance – there are still three storm water structures pending completion from Easy Dig.

Action to Be Take

- Stormwater Management Ordinance update – Attorney Doyle presented that the Department of Environmental Protection (DEP) is requiring municipalities to update their stormwater management ordinance and has published a 2022 model ordinance for the Stormwater Management Act. There are some new language in the published sample from DEP that are required, which Attorney Doyle had added to the draft ordinance update.

Attorney Doyle had a copy of the updated ordinance available for those present to review. A motion was made by Donald Wright to authorize Attorney Doyle to advertise the updated Stormwater Management Ordinance subject to Grant Anderson's review and approval. The motion was seconded by Jill Conner. Motion carried unanimously.

- 127 Hidden Hill Farm Lane – Attorney Doyle presented, as concurred by Keith Hunnings, Borough Code Officer, that this property has been cited for multiple violations of ordinances. The property owner on record has not brought up his property to code to date. A motion was made by Donald Wright to authorize Attorney Doyle and Keith Hunnings to take the owner(s) of 127 Hidden Hill Farm Lane to District Justice for the violations of ordinances. The motion was seconded by Jeff Hammers. Motion carried unanimously.
- 11 Valley Road - Attorney Doyle presented that this property also has an outstanding violation of ordinance. There appears to be two dwellings at this address. The Borough has not been contacted by the owner on record to rectify said violation. Attorney Doyle's recommendation is to determine if the dwellings are inhabited at this time before pursuing to the District Justice.

Borough Reports

- **Mayor & EM Reports** - *Police Report for March 2022. There were 50.18 hours for Police Service Hours, 17.49 hours for Admin Hours, in total of – 68.41 hours for the month of March. There were 15 calls in total; *Fire Police Requests – Dallastown requests Fire Police assistance for the National Day of Prayer on May 5th, 2022, Memorial Day Parade on May 22nd, 2022, Dallastown High School Graduation on June 2nd, 2022, Building Bridges for Brianna event on June 25th 2022, National Night Out on August 2nd 2022, Dallastown Carnival on August 16th 2022 and their Halloween Parade on October 20th 2022. Stewartstown Borough also requests Fire Police assistance for the Stewartstown Fire Works on July 2nd, 2022, Eureka Carnival on July 18th through 23rd 2022, Eureka Parade on July 23rd, 2022, and the 5-K Run in Town on August 13th, 2022. Donald Wright made a motion to approve the fire police requests as presented. The motion was seconded by Dawn McElhiney. Motion carried unanimously; *Snow Emergency – during the last snowstorm, a vehicle was ticketed and towed off of Main Street. Since Main Street is a state road, it is unclear to the mayor if York County Regional Police Department would have jurisdiction to ticket and tow during a snow emergency. The mayor will clarify this issue with the Chief of Police.

- **Office/Manager** - *PennDOT paving of Main Street – a communication was received from PennDOT notifying the Borough that their proposed paving project for Main Street is now postponed to 2024 to accommodate for York Water Company’s water pipe replacement project along the length of Main Street; *Fire hydrant fittings – the hydrant on Greenbriar has been updated to the National Standard and a work order is in place for the hydrant on Geiselman to be updated as well; *Change in Borough Code Officer (BCO) – South Penn Code Consultant (SPCC) is in search of a new BCO for the Borough as Jeremy Kerstetter left SPCC. Currently Keith Hunnings serves as the BCO; *Monthly permit report – Jeremy generated a final monthly permit report which was distributed to all Council members. *American Rescue Plan Act (ARPA) – a report was filed with the Department of Treasury on the use of funds from ARPA that the Borough received; *Conditional Use application for review by Planning Commission (0 Church St) – Planning Commission meeting has been set for May 23rd, 2022, at 7:00 p.m. Attorney Doyle is organizing and will be residing at this meeting; Review need for pest (bugs) control – current treatment per quarter at the park and the municipal building may be excessive, particularly at the office building. General consensus was to cancel treatment at the municipal building and cut down treatment at the park to twice per year; *May park reservations – there are four reservations for the month.
- **Solicitor**
 - 16 N Main Street – Attorney Doyle presented this property has now reverted back to being owned by the owner prior to the Sheriff’s Sale, as shown on recorded deed. However, it has been and appears that it will continue to be neglected. Attorney suggested that the Borough could take steps to certify the property as a blighted property with the County and take possession through the proper channels. A motion was made by Donald Wright to authorize Attorney Doyle to reach out to the County and follow procedures to attain the property. The motion was seconded by Phyllis Bowers. Motion carried unanimously.
 - Attorney Doyle brought to Council’s attention that there may not be enough members on the Planning Commission as currently one member cannot be reached. Through research, Attorney Doyle had learnt that Council Members can be appointed to sit on the Planning Commission as well. It is therefore her recommendation for a Council Member to be appointed onto the Planning Commission. A motion was made by Donald Wright to appoint Phyllis Bowers to the

Planning Commission. The motion was seconded by Jeff Hammers. Motion carried unanimously.

- **Streets Committee** – Donald Wright brought to the attention that the pothole on Cherry Lane behind Innerst needs to be fixed. Lance Beard volunteered to temporarily fix it with cold patch.
- **Buildings and Grounds Committee** - *playground at park and behind municipal building has been mulched; *downspouts at large pavilion – an estimate of \$400 in material cost was obtained. Lance Beard will install soon; *storm damage at East dug-out – shingles were dislodged by wind. Donald Wright suggested to file an insurance claim; *Fourth of July BLAST at park – the Jacobus Lions Club will be organizing this event. A motion was made by Lance Beard to allow the Lions Club to use the park for the Fourth of July BLAST. Motion was seconded by Sandy Sheffer; *Thrash at park – Lance Beard suggested installing signs at the park for patrons to take any thrash they generate during their time at the park. Donald Wright suggested to add on to the park rental agreement for thrash removal; *Pine Street accident – Sandy Sheffer reported that a driver lost control and knocked down both a mailbox and a speed limit sign. Donald Wright suggested to get a police report so as to be able to collect payment from the driver for damages.

Unfinished Business

The mayor reported that a resident, Kay Good of 210 Ameda Drive needed a small recycling bin as she cannot move the large recycling totes down her driveway. Penn Waste informed her that they no longer supply the small recycling bins since they now use single driver trucks. Jill Conner informed that she might have one for the resident.

Adjournment

Donald Wright made a motion to recess the meeting at 8:42 p.m should Council need to reconvene on Thursday, May 12th, 2022, to further discuss agreement with York Water Company for the street project at Geiselman Drive. The motion was seconded by Jill Conner. Motion carried unanimously.

May 12th 2022 – Borough Council Meeting Reconvenes

Meeting was called to order by Council President Sandy Sheffer at 7:05 p.m. Present were Sandy Sheffer, Lance Beard, Donald Wright, Phyllis Bowers, Jill Conner, Dawn McElhiney, and Attorney Dave Jones. Jeff Hammers and Mayor Greg Gruendler were absent.

Attorney Jones presented that York Water Company had drafted a reimbursement agreement to pay for half of the cost to pave Geiselman Drive, after the planned stormwater management work is completed. He recommends Council to authorize Grant Anderson of Site Design Concept and Attorney Sarah Doyle of Stock and Leader to obtain quotes from Long's Asphalt and Kinsley Construction to mill and pave Geiselman Drive. Donald Wright made a motion to authorize Grant Anderson and Attorney Sarah Doyle to obtain prices from Long's Asphalt and Kinsley Construction to mill/pave Geiselman Drive and to accept the lower quote with the provision that the lower price does not exceed the already agreed bid spec price. The motion was seconded by Dawn McElhiney. Motion carried unanimously.

Attorney Jones clarified that the current contract with Long's Asphalt allows for a reduction in the scope of work and Mr. Anderson also reported that Long's Asphalt had been consulted on the current situation and is agreeable with reducing their scope of work as well. Attorney Jones recommends asking Long's Asphalt for a change order, and to provide Kinsley Construction with bid specs. Attorney Jones also recommended to authorize Borough Council President to sign the finalized contract with York Water Company before the next Council Meeting. A motion was made by Donald Wright to authorize Sandy Sheffer to sign the finalized contract with York Water Company for work at Geiselman Drive before the next Council Meeting. The motion was seconded by Lance Beard. Motion carried unanimously.

Adjournment

Donald Wright made a motion to adjourn the meeting at 7:25 p.m. Motion was seconded by Lance Beard. Motion carried unanimously.