

Manheim Borough Council Meeting

September 29, 2015, 7:00 P.M.

Manheim Borough Building, Manheim

- Pledge of Allegiance and Moment of Silence.
- Roll Call: President, David Fenicle; Vice President, Chris Simon; Pro-Tempore, Brad Roth; Carol Phillips; Brian Howett; Bonnie Martin; Mayor Scot Funk; Kayla Heiserman, Junior Council; and Lisa Miller, Recording Secretary.
- Staff: James Fisher, Borough Manager, and Police Chief Joseph Stauffer.

Action Items

A Motion was asked for the appointment of James Fisher as Secretary of the Borough. A Motion was made by Mr. Simon to appoint Mr. Fisher as Secretary, seconded by Ms. Phillips, and passed unanimously.

- A Motion was asked for the approval of the September 8, 2015 Minutes. A Motion was made by Mr. Simon to approve the Minutes, seconded by Ms. Phillips, and passed unanimously.

New Police Station Project: The following Plan related Agreements were reviewed by the Borough Solicitor and were presented to Council for action.

Item I: Resolution 11-2015 – “Agreement of Sale Manheim/NWEMS”, a property known as 213 North Charlotte Street, related to land development was discussed.

- A Motion was asked for the approval of Resolution 11-2015, Motion by Mr. Simon, seconded by Ms. Phillips, and passed unanimously. Signatures will be obtained at the close of the meeting.

Item II: “Agreement of Sale of NWEMS and Manheim Borough” – Discussion took place about the sale of the EMS property for the amount of \$24,126.

- A Motion was asked for the approval of the “Agreement of Sale of NWEMS and Manheim Borough”. Motion by Ms. Martin, seconded by Mr. Roth, and passed unanimously.

Item III: “Deed Perimeter Lot 1” – The Deed describes the entire lot acreage and entire area.

- A Motion was asked for approval of the “Deed Perimeter Lot 1”. Motion by Mr. Roth, seconded by Mr. Howett, and passed unanimously.

Item IV: “Escrow Agreement” – An escrow account in the amount of \$350,805 for improvements was discussed.

- A Motion was asked for the approval of the “escrow agreement”. Motion by Mr. Howett, seconded by Ms. Phillips, and passed unanimously.

Item V: “Operation & Maintenance Agreement for Stormwater Manheim to Manheim” – The Borough has agreed to operate and maintain the Stormwater facilities that are the responsibility of the Borough. The Agreement will be passed to a new owner if the property is sold in the future.

- A Motion was asked for the approval of the “Operation & Maintenance Agreement for Stormwater Manheim to Manheim”. Motion by Mr. Roth, seconded by Mr. Howett, and passed unanimously.

Item VI: “Operation & Maintenance Agreement for Stormwater NWEMS to Manheim” – The Agreement states that Northwest EMS will be responsible for the portion listed on Lot 2. If the property is sold, the Agreement will be passed to the new owner.

- A Motion was asked for the approval of the “Operation & Maintenance Agreement for Stormwater NWEMS to Manheim”. Motion by Ms. Phillips, seconded by Mr. Roth, and passed unanimously.

Item VII: “Access Agreement Manheim to NWEMS” – The Agreement states that the Northwest EMS and the Borough will share the driveway.

- A Motion was asked for the approval of the “Access Agreement Manheim to NWEMS”. Motion by Mr. Howett, seconded by Mr. Roth, and passed unanimously.

Item VIII: “Access Agreement NWEMS to Manheim” – The Agreement states that the Northwest EMS and the Borough will share the driveway.

- A Motion was asked for the approval of the “Access Agreement NWEMS to Manheim”. Motion by Mr. Roth, seconded by Mr. Howett, and passed unanimously.

Item IX: “Developer Agreement MAWSA” – An Agreement for the installation and maintenance of new water lines to be installed by the Borough was discussed.

- A Motion was asked for the approval of the “Developer Agreement MAWSA”. Motion by Mr. Simon, seconded by Ms. Phillips, and passed unanimously.

Item X: “Right-of-Way Agreement Manheim to Manheim Area Water & Sewer Authority” – Agreement for the right-of-way pertaining to the water line which runs through the EMS property was discussed.

- A Motion was asked for the approval of the Right-of Way Agreement Manheim to Manheim Area Water & Sewer Authority. Motion by Mr. Roth, seconded by Mr. Simon, and passed unanimously.

Item XI: "Cost Sharing Agreement Manheim/NWEMS" – Cost sharing on property discussed at length pertaining to lawn care, snow removal, etc. The Borough will assist EMS by providing lawn mowing service and snow removal to Lot 2. Ratio is Borough 30% and EMS 61%. It was suggested that the Solicitor be more involved with the agreement, as well as the Borough Manager, to make sure the Agreement is legally correct. This item was tabled and revisited at a later date in order to gather more information.

Financing RFP's Presentation by Jamie Schlesinger, Public Financial Management, Inc.

Mr. Schlesinger made a presentation regarding the financing options for refinancing a previous loan and providing new financing for additional funds needed for the police station project. He also discussed the proposals that were received from 5 area banks. Options report and presentation attached.

- After further discussion and comments from Council members, the Borough Engineer, the project architect and citizens present at the meeting in support of the project, a Motion was asked for to move forward and approve Option 1, the refinance loan from Fulton Bank with the seven-year fixed option. A Motion was made by Mr. Roth to move forward with the financing and approve the terms of the Fulton Bank refinance loan. The Motion was seconded by Mr. Simon. Mr. Fenicle, Ms. Phillips, Mr. Roth, Mr. Simon, Mr. Howett voted yes, Ms. Martin voted no.

Action: Proposed Borrowing Ordinance

- Mr. Roth moved to adopt the proposed Borrowing Ordinance, seconded by Mr. Howett. Mr. Fenicle, Ms. Phillips, Mr. Roth, Mr. Simon, Mr. Howett voted yes. Ms. Martin refrained from voting.

A recess was taken for the Manager to retrieve bid proposal summary information for the proposed police station project. Meeting resumed without the presence of Ms. Martin.

Action: Contract(s) (Site Work, Building)

- Borough Engineer, Ben Craddock, discussed the bids and there was lengthy discussion concerning the many alternate options. A discussion was held about the lowest bidder, Perotto Builders, and references. Mr. Craddock advised that he has checked references for Perotto Builders. Mr. Craddock feels confident in recommending them. Ben Craddock discussed the process by which he will have a regular presence at the site and the process for change orders.
- Mr. Howett moved to award Police Station Building (base bid w/ metal roof) to Perotto Builders for \$1,978,000.00. Mr. Roth seconded and the Motion was passed unanimously.

- Ms. Phillips moved for the approval of Alternate 1 (carport with a metal roof) for \$78,000. Mr. Simon seconded. The Motion was passed unanimously.
- Mr. Roth moved Police Station Sitework (base bid + alternate no. 1) to BR Kreider for \$504,637.60. Mr. Simon seconded, and the Motion was passed unanimously.
- Mr. Roth moved that change orders of \$10,000 or less must be approved by the Borough Engineer, Borough Manager, and the Public Works Committee Chairman. Any change orders over \$10,000 must come before Borough Council for approval. Mr. Simon seconded, and the Motion was passed unanimously.
- Mr. Roth moved that all correspondence between the Borough and the contractors be handled by the Borough Engineer and the Borough Manager only. Mr. Howett seconded, and the Motion was passed unanimously.

Visitors

- Lori from Northwest EMS announced her appreciation to Council for approval of the project.

Mayor and Police Chief Reports

- Mayor Funk announced a grand opening of a business on the former site of Dan's Deli. It's now Niki Lannigan's Events.
- Mayor Funk also announced that the Lowe's project on the pool and pavilion has been completed. Aaron's Acres is very grateful and the Borough is also benefitting from it.
- Chief Stauffer, prior to discussing his report, thanked Council for their proactive approach with the Police Department and public safety. Chief Stauffer then distributed his report and reviewed the report and statistics with Council.

Borough Engineer Report

a. Action: Adele Avenue Project Rebid

*Ben Craddock discussed the Adele Avenue rebid and requested authorization. Ms. Phillips moved a motion for approval of the rebid, Mr. Roth seconded, and motion was passed unanimously.

b. Traffic Signal Replacement Update

*Ben Craddock said the documentation is almost finished.

c. Connection's Study Grant Application Update

*Ben Craddock informed Council that the presentation was made with the assistance of the traffic engineer and Borough Manager, and we are awaiting a decision on the grant award.

d. Chiques' Creek Sediment Removal Project Update

*Ben Craddock informed Council that they received minor comments from DEP. It was submitted yesterday and still thinks we will have a permit in mid-October.

*A visitor brought up the triggering of lights when there is an ambulance call or fire call. Requesting someone review the timing. President Fenicle said staff would check into it.

Borough Code Officer Report - Rob presented his written report to Council and briefly discussed several items within his report.

Borough Manager Report

a. The Manager's Activity Summary Report was provided to Council.

Council requested a report as to the committees and members as well as a plan for future progress of meetings.

b. Action: A Motion was made by Ms. Philips to ratify the approval for fire police at East Petersburg Days, seconded by Mr. Roth, and passed unanimously.

c. Action: Approve amendments to Employee Manual per recommendations of insurance consultant to bring policy manual up-to-date with Council's previously approved policy decisions. Mr. Roth moved to approve the proposed Employee Manual changes. The Motion was seconded by Mr. Howett, and passed unanimously.

d. Action: Approve request for tax refund for 20 S. Penn Street. Solicitor verified this is a legitimate claim. Mr. Simon moved to approve request for tax refund. The Motion was seconded by Mr. Roth, and passed unanimously.

e. Action: Approve Memorandum of Understanding between Manheim Borough and Lancaster County Conservation District (MOU) which is a MS4 requirement. Mr. Howett moved for approval of the MOU, seconded by Mr. Simon, and passed unanimously.

f. Action: Approve Resolution 10-2015 Minimum Municipal Obligation. Mr. Roth moved to approve Resolution 10-2015, seconded by Mr. Howett, and passed unanimously.

g. Action: Resolution for adding a signature card for the fiscal director, Anna Weaver, for Susquehanna Bank. Mr. Simon moved for approval of the signature card, seconded by Mr. Roth, and passed unanimously.

h. Discussion took place about Island Field upgrades and a decision was made to table the matter until further notice. Need more information and a sketch of proposed fencing.

i. LCBA Grant from 2005. Verified funds held in an account (\$4,800) and that work is still needed at Kauffman Park. LCBA has confirmed that the funds can still be used for the improvements identified in the grant application, with a deadline of June 30, 2016, for completion.

j. Insurance Claims:

a. Update on insurance claim for water damage. Claim was denied as surface water damage is an exclusion to the policy. Investigating the source, which is believed to be the gutters.

- b. Traffic signal controllers were damaged by lightning and were covered by insurance.

Treasurer's Report

The Treasurer's Report was shared with Council. Total amount is \$125,103.96.

*A Motion was moved to pay the general fund bills in the amount of \$125,103.96 by Ms. Phillips, seconded by Mr. Howett, and passed unanimously.

*A Motion to approve the Capital Fund of \$8,233.50 was moved by Mr. Simon, seconded by Mr. Howett, and passed unanimously.

*A Motion was moved to approve liquid fuels in the amount of \$630.50 by Mr. Simon, seconded by Mr. Howett, and passed unanimously.

Committee Reports

- A) Finance Committee – Mr. Roth advised they are about 75% done with the budget. Waiting for everything to come into place. Meeting scheduled for Tuesday, October 13, 2015 at 5:30 p.m. to address the final issues. Hoping to be 95% done by the end of that meeting.
- B) Parks/Pool – Ms. Phillips requested that a formal letter of appreciation be sent regarding the Lowe's/Aaron's Acres project. Letter will be drafted and signed at the next Council meeting. At an upcoming meeting the request about Island Field will be discussed and the final reports from the Pool (Lititz Rec) will be presented. Friends of the Pool: Steve Lowe to contact Jim Fisher for an update on how to proceed with the matching funds.
- C) Personnel/Police – Nothing to report.
- D) Public Works – Nothing to report

New Business: Nothing to report.

Old Business: Nothing to report.

Executive Session:

- A Motion was moved by Mr. Roth to adjourn to Executive Session at 9:18 p.m., to discuss personnel matters. The Motion was seconded by Mr. Howett and passed unanimously.
- A Motion was moved by Mr. Simon to adjourn from Executive Session and return to the public meeting at 9:44 p.m. The Motion was seconded by Mr. Roth and passed unanimously.

Adjournment:

- No actions were taken by Council as a result of the Executive Session. A Motion was moved by Mr. Simon to adjourn at 9:45 p.m. The Motion was seconded by Mr. Howett and passed unanimously.

Respectfully submitted,

Lisa Miller