

Abbottstown Borough Council Meeting

March 18, 2021 7 PM

CALL TO ORDER: 7:00 p.m.

ROLL CALL: Frank Anderson, Dale Reichert, Dennis Posey, April O'Brien, Mayor Daniel Watkins, Sr. Also in attendance: ABPD Chief James Graham; M/S/T David W. Bolton; Solicitor, Tim Shultis; Engineer, John Golanoski. Excused: Laura Baker

PLEDGE OF ALLEGIANCE: Led by President Posey.

ANNOUNCEMENTS: None

GUESTS:

PUBLIC COMMENT: None on agenda items.

APPROVAL OF MINUTES: Minutes of the January 21st meeting presented for approval.

Motion made by Frank Anderson to approve minutes from 1/21/21; 2nd by Dale Reichert; Motion carried, 3 Ayes (O'Brien abstains).

Minutes of the February 18th virtual and in-person meeting presented for approval.

Motion made by Frank Anderson to approve minutes from 1/21/21; 2nd by Dale Reichert; Motion carried, 4 Ayes.

REPORTS:

TREASURER: Treasurer's report for 1/31/2021 is presented for approval.

Motion made by Frank Anderson to approve Treasurer's report from 1/31/2021 as presented; 2nd by Dale Reichert; Motion carried, 4 Ayes.

Treasurer's report for 2/28/2021 is presented for approval.

Motion made by Frank Anderson to approve Treasurer's report from 1/31/2021 as presented; 2nd by Dale Reichert; Motion carried, 4 Ayes.

Motion to approve payment of municipal bills through 3/18/2021.

Motion made by Frank Anderson to approve paying the bills as presented; 2nd by Dale Reichert; Motion carried, 4 Ayes.

⇒ Mr. Bolton informs Council that the municipal audit has been completed with no outstanding issues and all DCED reports have been submitted to the agencies.

ADMINISTRATIVE: David Bolton, MBA, CBO

⇒ 3 RFPs received for copier/printing agreement: Quality/Eicholtz ends 4/2021.

Motion made by Frank Anderson to accept proposal from Kyocera (formerly Quality/Eicholtz) for printing services at the same quarterly rate as our previous agreement (\$120/quarter); 2nd by April O'Brien; Motion carried, 4 Ayes.

⇒ Records disposition: To be destroyed, 2013 Financial Records (<2 cu ft).

Motion made by Frank Anderson to authorize Mr. Bolton to dispose of stated records in accordance with the PA Records Retention laws; 2nd by Dale Reichert; Motion carried, 4 Ayes.

⇒ Governor is lifting certain restrictions due to Covid-19 activity levels decreasing across the state. Mr. Bolton would like to re-open the office without restrictions, acknowledging CDC guidelines in posted advisories as before.

Motion made by Frank Anderson to authorize Mr. Bolton to reopen the borough office effective Monday, April 5th, 2021.

⇒ 'Paper alleys' have been noted and are being reviewed. Considerations such as borough and utility right of ways must be reviewed prior to recommendations. Solicitor to report on his recommendations.

SOLICITOR: Tim Shultis:

⇒ Paper alleys: Recommendation – types of streets: Penn Dot, borough, unmaintained streets, unopened paper alleys. No public right if not opened or maintained. 21 years or more without maintenance, borough loses rights to act. Borough does nothing with the paper alleys. Properties that abut these can ask the county to dissolve these by an action of 'quiet title' without opposition from the borough. Vacate the alleys is an option with quit claim deed issued for abutting properties. If utilities exist on these paper alleys and the borough

vacates, they lose those public rights to utility right of ways. Each needs to be assessed (e.g., were they opened, maintained, or do they have utilities?). Action to quiet title is recommended but a quit claim deed would split the center between adjacent properties. Title search would show the history of the right of way. Borough should reassert rights to any streets they wish to maintain for the future. Borough will take no action at this time.

- ⇒ Codification: Final product has been received as updated. Sequence of events... Proposed by Mayor at a public meeting (April 15), advertise (real estate transfer and EIT ordinances were re-written by General Code; local tax enabling act requires different ads for three successive weeks). This is not a new tax, just a revision. May 21st will be vote to adopt.

SOLICITOR: Tim Shultis

- ⇒ Codification: Final product has been received as updated. Advertising tabled until review by Mr. Shultis for accuracy and to review adoption documents. Target date for enactment is April meeting.

ENGINEER: John Golanoski

- ⇒ Multimodal Grant for N/S German Street: Getting a letter from Rep. Torren Ecker to support grant proposal.
- ⇒ Park Phasing: Plan has been developed. Need a land development plan for 4-5 year process.
- ⇒ Country Club Rd. bridge: Plan of Action and monitor log for bridge completed.

MAYOR'S REPORT: Honorable Daniel W. Watkins, Sr.

- ⇒ Residents on W. Fleet St concerned about traffic going wrong way and speeding down one way. Chief Graham will be aware of this on his shifts.
- ⇒ Residents concerned there is no 'gun box' at the borough office. Discussion ensued; no one was in support of restricting gun rights on borough property.

ABBOTTSTOWN BOROUGH POLICE DEPT: Chief James Graham

- ⇒ Temporary No Parking signs for Kinneman Road Phase II project installed prior to March 1st. No study is needed for Council to authorize making this a permanent situation, considering that Berwick Twp has made their half 'no parking' which could create a larger problem on the borough side. Recommendation is to make borough side of Kinneman Rd from Sutton Road to West King Street 'no parking' permanently.

**Motion to implement Chief's recommendation of
No Parking on Kinneman Rd. made by Frank**

Anderson; 2nd by April O'Brien; Motion carried, 4 Ayes.

Solicitor Shultis interjects and disagrees that no parking can be instituted without a study and an update to the borough ordinance. Council agrees to suspend installing the permanent No Parking signs contingent on the receipt of the KPI traffic study and Mr. Bolton's review of the borough ordinance.

- ⇒ Brake retarders (Jake Brakes): enforcement to eliminate brake retarders (jake brakes) would require a study with Engineer (4% grade or more, no retarders).

Motion by Frank Anderson to authorize Engineer and Chief to obtain necessary information for consideration; 2nd by Dale Reichert; Motion carried, 4-0.

- ⇒ Truck accident with 1.5 tons of gravel dumped. Negligence. 5 hours of investigation. Penn Dot called out to clean up with much equipment. Took several hours. Suggests sending a bill for Chief's time (Sykesville, MD company).

Motion by Frank Anderson to bill company for 5 hours of time at current hourly wage; 2nd by Dale Reichert; Motion carried, 4-0.

CODE ENFORCEMENT: James Graham, PMCA

- ⇒ Officer Graham relates no unusual activity in code or zoning; relays the death of a resident on E. King Street and the handling of the property by local attorney.

EMERGENCY SERVICES: UH&L No. 33, PSP, AREMS Reports submitted

COMMITTEES and ORGANIZATIONS:

- ⇒ **EBACC:** Dennis Posey reports that the organization is working on options for their housing situation with East Berlin Borough; will update Council as information is available.
- ⇒ **ACBA/PSAB:** David Bolton reports that ACBA met online last Monday and that PSAB Board will meet in Hershey for two day in June (he will be attending as county representative).

CORRESPONDENCE: On File.

OLD BUSINESS: None

PUBLIC COMMENT: None

FOR THE GOOD OF THE ORDER:

- Councilor April O'Brien suggests moving meeting times to 6 pm to avoid late nights that may conflict with Councilors' attendance.

Motion by April O'Brien to authorize Mr. Bolton to advertise change in meeting times from 7 to 6 pm on the same dates and to update borough information where applicable; 2nd by Frank Anderson; Motion carried, 4 Ayes.

Councilor O'Brien also discusses the need for more salt at certain place through the borough during snow emergencies. Duly noted. Mayor Watkins and Mr. Bolton will cover this topic with the snowplow service provider next season.

- President Dennis Posey thanks everyone for their service to the borough.

ANNOUNCEMENTS: Next regular Council meeting is April 15th at 6 pm

Motion made by Frank Anderson to adjourn at 8:06 pm; 2nd by Dale Reichert; Motion carried, 4 Ayes.