

February 5, 2008

The regular meeting of the Jonestown Borough Council was held on the above date at 7:00 P.M. with President Jason Kern presiding. The following members were in attendance: Jason Kern, Dennis Houser, Lynn Kleinfelter, Paul Bird, Ron Gue and Joel Lehman. Also attending was Attorney Dave Tshudy, Attorney Tim Sheffey, Fire Marshall Carl Bachman, Maintenance Supervisor Kevin Shuey and Secretary Renee Lehman.

A motion was made to approve the Minutes of the January 7, 2008 meeting by Joel Lehman, seconded by Paul Bird. Motion carried.

A motion was made to approve the Treasurer's Report for the month of January 2008 by Paul Bird, seconded by Dennis Houser. Motion carried.

SPECIAL GUESTS

Fire Chief Carl Bachman of the Perseverance Fire Company was present to give the Fire Company report for the year 2007. This report is on file in the Borough office. There were 300 calls and 1,731.5 man-hours during the year. The Company received a \$2,300 matching grant from DCNR Bureau of Forestry to purchase 25 sets of brush fire fighting gear and four vest type pump tanks. The Company also applied for a new boat and raft. Chief Bachman thanked the Mayor and Council for their continued support of the Perseverance.

CITIZEN'S COMMENTS

David Moyer was present to offer a public apology to the Jonestown Borough Council for the spray-painting incident that occurred at the Pavilion on Tuesday evening, January 15, 2008. He presented a check made payable to the Borough in the amount of \$90 to cover the cost of Kevin Shuey's time to clean up the mess he made that evening. David will also serve a total of 24 hours community service for the Borough at Council and Kevin's discretion after school is over this summer. Mayor Kaufman asked David what prompted him to do what he did, and David stated it was an accident; when he kicked the spray paint can it exploded.

Donald and Luella Nelson of 300 Swatara Creek Drive were present to ask for information regarding the fence violation they received and their request for a variance. Jason Kern informed them that Lebanon County Planning would send them a notice of the date. They should bring any information regarding their fence to the hearing, and a lawyer if they wish representation. Mr. Nelson told Council that before he built the fence, he called Lebanon County Planning and was told he didn't need a permit. He said he's seen many fences in town that are over six feet high. The Nelsons stated they have a beautiful fence, and that the reason their fence is over six feet high is because of the rot board at the bottom of the fence.

MAYOR

Mayor Kaufman read the letter of response he received from Rose Marie Swanger regarding the Chesapeake Bay Resolution the Borough adopted and mailed to Governor Rendell, Senator Folmer and Representative Swanger's offices. Representative Swanger thanked the Borough for

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providing their opinion and agreed that the Department of Environmental Protection's Chesapeake Strategy needs to be modified so it is affordable to the local government.

Woodland Contractors anticipates that the new building project will be completed by the end of March. The building will now be locked, and the Borough will receive two keys to access the building. The workmanship looks great.

Mayor Kaufman reported on the Ed Spittle Baseball Fencing Project. He and Jason Kern both spoke to the elementary school about infringing upon their property when the playing field is leveled in order to get the slope for the mowing. Paul Snyder and Dr. Bell have no problem with the infringement. Attorney Tim Sheffey advised Council that either an "Easement Agreement" or a "Right of Way Agreement" be recorded with the school. Because the school uses the Borough Community Park, Tim suggested a "Mutual Agreement" in place of an "Easement Agreement". **A motion was made by Lynn Kleinfelter, seconded by Dennis Houser to authorize an easement agreement between the Borough and the school for the purpose of putting in the fence. Motion carried.**

The Park and Recreation committee finalized the Park Rules and Regulations at the January 30th meeting. The Rules and Regulations are being reviewed by the solicitor's office.

Mayor Kaufman asked permission to attend the 2008 Park and Recreation Academy in Enola, PA on March 26th, April 2nd and April 9th and asked any member from Council to consider attending the academy with him. **A motion was made to allow the Mayor and any Council member to attend the Park and Recreation Academy for \$75 by Dennis Houser, seconded by Joel Lehman. Motion carried.**

The Annual Chamber of Commerce Day of Caring will be held on Saturday, April 19th. The Borough will request volunteers to mulch the plant beds at the park and stain the band shell.

Jonestown Borough will host the October 28, 2008 Dauphin-Lebanon County Boroughs Association dinner at the Lutheran Church. The Lions Club will be asked to help assist with the food.

The Shining Star Award was given to Renee Lehman for her work preparing the bid package for the Boat Launch Ramp project.

MAINTENANCE

Two building permits were issued during the month of January.

Following the completion of the new maintenance building, Kevin Shuey asked Council to consider retaining the heat at the old maintenance building, which would allow Kevin to utilize the building for painting in the winter months. Next winter Kevin anticipates repainting the stop signs in town. Kevin also suggested using the 275-gallon oil tank to fuel the bobcat.

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Kevin told Council that trash control is becoming an issue in the town, particularly from overfilling trashcans and recycling containers and old Merchandiser papers not being picked up by the residents. Mayor Kaufman will include a notice to residents in the Spring Jonestown Borough Newsletter and will call The Merchandiser regarding their paper delivery.

Kevin notified Council that residents are pumping water from their basements onto the road which becomes a safety issue when the water freezes to ice. Kevin spends many hours salting these areas which are located at Water and Chestnut, Fisher and Market, West Market in front of the former White's Fitness Center and Chestnut across from Highland.

About 70 feet of the road at Blackberry, west of Water is eroding. This section of the road is missing stone base so the blacktop is lying on top of mud.

ENGINEER

Jason Kern told Council that he notified Engineer Dave Smith that Light-Heigel's attendance to Borough Council meetings is unnecessary if the engineer has nothing to report. Jason assured Dave this was not a result of disappointment with the service Light-Heigel provides. Dave Smith is fine with this, but would like a weeks notice if the Borough wishes their attendance.

SOLICITOR

Dave Tshudy attended the public bid opening for the Boat Launch Ramp project on January 22, 2008 and prepared a report showing results from the bid opening. Woodland Contractors was the lowest bidder. Dave called Woodland Contractors to verify they had received all three addendums to the project, and they confirmed that they had. **A motion was made by Dennis Houser, seconded by Lynn Kleinfelter to award the contract to Woodland Contractors and direct the Secretary to send the agreement to them. Motion was not carried.** Mayor Kaufman advised that a permit is needed from DEP before the work can be started. Arora and Associates is handling the permitting. **A modified motion was made by Dennis Houser, seconded by Lynn Kleinfelter to award the contract to Woodland Contractors with the work to start contingent upon getting the permit from DEP. Motion carried.**

Formal action was taken to remove the motion taken at the January 7, 2008 Council meeting which tabled the Ed Spittle Fencing project to the February meeting. **A motion was made by Lynn Kleinfelter, seconded by Paul Bird to award the Fence Spittle Fencing contract to Pro-Max Fence Systems and ratifies all actions taken subsequent to the January meeting in issuing the contract to Pro-Max. Motion carried.**

An Executive Session will be held to discuss possible litigation involving the Borough.

A motion was made by Lynn Kleinfelter, seconded by Dennis Houser authorizing Dave Tshudy to represent the Borough at the February 20th Zoning Hearing Board. Motion carried 5 to 1. A motion was made by Lynn Kleinfelter, seconded by Ron Gue to authorize

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Keith Kilgore to attend the same meeting to represent the Zoning Hearing Board meeting. Motion carried.

SECRETARY

A motion was made to ratify Payment Requisition number 17 to Woodland Contractors in the amount of \$23,231.48 by Paul Bird, seconded by Joel Lehman. Motion carried.

A motion was made to approve Payment Requisition number 18 to Woodland Contractors in the amount of \$81,347.40 and Payment Requisition number 19 to Kleinfelter Auction in the amount of \$533.50 by Dennis Houser, seconded by Ron Gue. Motion carried.

The Spring PSAB conference will be held in Grantville on March 30th, March 31st, and April 1st 2008. Interested persons are Mayor Kaufman and Ron Gue. **A motion was made to authorize the Mayor and any Council member to attend 2008 Spring PSAB conference in Grantville by Paul Bird, seconded by Joel Lehman. Motion carried.** Council should contact the Secretary if they are interested in attending the conference before March 7th.

PARKS AND RECREATION

Paul Bird discussed the multi-municipality Peer Study with DCNR to facilitate recreation between townships on the north part of the county, East Hanover, Swatara and Union Townships, the Borough and Bethel. Paul asked Secretary Renee Lehman if she received the sample Peer Study resolutions Mike Eschenmann said he would forward to the Borough Office. The Secretary reported that she did speak with Mr. Eschenmann, however, she had not received the sample resolutions. Paul stated that he had hoped Council would adopt the resolution at the February meeting before their next multi-municipality meeting at the end of February. Renee said Mr. Eschenmann advised her that he didn't expect the municipalities to adopt the resolutions this month and wanted to wait until all municipalities agree to the study before any resolutions were passed. Renee said she would contact Mr. Eschenmann again and ask him to send the sample resolutions to the Borough office.

PERSONNEL

A motion was made by Dennis Houser, seconded by Lynn Kleinfelter to adopt the crossing guard job descriptions. Motion carried. Mayor Kaufman will speak with each of the crossing guards regarding their Letters of Understanding.

Council will discuss the open maintenance position in Executive Session.

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OLD BUSINESS

Paul Bird told Council the Borough received ten traffic-channeling devices to help slow traffic down at the crosswalks. Kevin has the map that was previously drawn indicating where he should place the signs.

Ron Gue inquired about the status of the scaffolding and ladder at end of Borough Hall building along Broad Street. Mayor Kaufman said he called the owner of these items and left a message several times before discovering he had a wrong number. He will stop by the owner's house.

Municipalities are allowed up to \$1,000 Liquid Fuels money per year to purchase computer hardware, software and training. Dennis Houser requested to use this amount to purchase computer supplies for the new office building. **A motion was made by Dennis Houser, seconded by Joel Lehman to proceed with using up to \$1,000 of Liquid Fuels money to purchase one computer and one printer and other minor equipment for the new building. Motion carried.**

Lynn Kleinfelter reported on his research regarding the Borough obtaining a Jonestown Bank credit card. Rather than a Master Card Holder, each authorized signer must have his or her own card with their name on the card. The cards would be kept in the Borough office. **A motion was made by Joel Lehman to authorize Lynn Kleinfelter to obtain a credit card and anyone else that would wish to have a credit card. Motion withdrawn.** A majority of Council, the Mayor, Kevin Shuey and Renee Lehman stated they were not interested in a Borough credit card. Council discussed the issue and decided a card would not be pursued at this time. Renee Lehman stated she will contact Home Depot and Lowes, as the Borough had an account previously with both companies. Kevin Shuey said Home Depot told him the account number on the credit card was not a valid account number.

Kevin Shuey stated he is capable of installing a water meter at the park. The meter will cost between \$100 and \$150. Jim Darkes does not want a key to the building; he will contact Kevin when he needs to read the meter. **A motion was made by Dennis Houser, seconded by Paul Bird to authorize Kevin Shuey to purchase a meter and the necessary supplies to install it from Reading Foundry. Motion carried.** Renee Lehman stated she would contact Reading Foundry to see if the Borough has an account with them. Kevin indicated his list of things to do was long, and that he would be unable to complete this project until Spring. Kevin was also asked to install a locked electrical receptacle outside the restroom building near the door that enters the utility room.

Jason Kern said he would set up Borough Council Committees in February.

Ron Gue reported that Home Depot would either donate industrial paint or sell it to the Borough at minimum cost to paint the crosswalks. Ron stated he would further pursue their offer in the Spring.

Renee Lehman was asked to call Joan from Union Township and ask if the Supervisors received the letter from the Borough regarding Act 60 and reimbursement for workers compensation.

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Joel Lehman informed Council he noticed Lebanon Farms Disposal throw recycling into the trash dumpsters. Joel called Lebanon Farms Disposal and they thought maybe there was a partition in the dumpster, however, Joel believes there was not. Renee Lehman offered to call Amy from Great Lebanon Refuse Authority regarding the issue.

Jason Kern reported that Lebanon County Planning would permit fences in the Borough. However, while County Planning will review the plans, they do not actually inspect the finished project. The Borough sets the permit fee by ordinance, but the fee would have to cover the costs for Lebanon County to provide the service. Dave Tshudy discussed with Council the process of changing an ordinance. Council discussed the pros and cons of requiring a permit for a fence. While a permit will force the resident to take a drawing into Lebanon County Planning and will make residents more aware of the Borough's fence guidelines, it will not change the Borough's guidelines. There was disagreement regarding whether requiring a permit would help or hinder the Borough's residents. **Ron Gue made a motion, seconded by Joel Lehman, to authorize the drafting of a revised fence ordinance which would require residents to obtain a permit for any fence higher than 30 inches before the fence is built. A roll call vote was taken as follows, Mayor George Kaufman broke the tie, and the motion was not carried:**

YES

Joel Lehman
Ron Gue
Jason Kern

NAY

Lynn Kleinfelter
Paul Bird
Dennis Houser
George Kaufman

Upon motion and second, Council recessed into Executive Session at 8:57p.m.

Council reentered regular session at 9:43p.m.

Upon motion and second, Council adjourned at 9:47p.m.

Respectfully submitted,

Renee Lehman
Secretary