

# **Richland Borough Council Meeting Minutes**

**September 2, 2014**

(Recorded-File A-1)

**Present:** Jim Niethammer, Dan Auman, Larry Hartman, John Mueller, Travis Randler, Matt Johnson, Mayor Ray Shanaman and Solicitor Tom Harlan

**Absent:** Dennis Seldomridge

Vice President Jim Niethammer called the meeting to order, followed by the Pledge of Allegiance to the Flag.

Jim asked for a motion to approve last month's meeting minutes. John Mueller made a motion to approve the minutes; Travis Randler seconded the motion; motion was carried by all members voting yes.

## **Citizen's Comments**

Michelle Voydik stated the decision regarding her chickens has been handed down by Judge Kline and she wants the Borough Council to inform her son what the ruling stated, as she doesn't have the heart to do it. Vice President Niethammer informed her the solicitor would be arriving at 7:30 and any comments or decisions would have to wait until after his arrival and the council goes into Executive Session. Mrs. Voydik then distributed papers explaining what a "customary agriculture operation" is.

Amy Hoffman, a neighbor of Voydiks, stated she supports the chickens because she formerly owned a rooster and no one complained. She further stated the chickens do not bother her.

Bevan Allen, President of the Rec Board, stated the playground employees' pay was never corrected to the new rate, per request of last meeting. Borough Secretary, Perri Shanaman, stated no adjustment or back pay was made because there was never a motion, from Borough Council, to do so and she cannot adjust the pay without them making a motion. Bevan asked that Erin Brown's pay be adjusted to reflect \$9.00/hr for the summer and her assistant, Olivia Hess, have her pay adjusted to reflect \$8.50/hr. Discussion followed. Dan Auman asked if the new pay rate would be part of the \$165 over budget addressed previously; Bevan Allen said it would be included and, if it is over the \$165 amount to let her know and she would address it with the Rec Board. Dan also asked if all these issues would be resolved next year before the season starts and Bevan Allen stated they would be. John Mueller made a motion to pay the back pay, per Bevan's request, to Erin Brown and Olivia Hess; Dan Auman seconded the motion; motion passed with all council members voting yes. Bevan also requested an additional \$1000, for the playground budget for the year 2015.

Marian Shanaman stated she is a neighbor of the citizens who have the chickens. She doesn't hear, see or smell the chickens and she sees nothing wrong with having them.

Chris Good asked if outdoor wood burners are allowed in the borough and if there are any restrictions? Dwight Belleman responded there are no restrictions at the moment. It has been discussed, in the past, but there are presently no restrictions other than building code guidelines.

VP Jim Niethammer informed council he had reviewed the invoices, submitted for payment, and found no issues. He asked for a motion to approve the invoices for payment. Larry Hartman made the motion; John Mueller seconded the motion; motion was carried with all members voting yes.

**Financial Report** – Travis Randler made a motion to accept the Financial Report submitted by Gift Associates; John Mueller seconded it; motion was carried with all members voting yes.

**Office Report** – Larry Hartman made a motion to accept the Office Report, submitted by Borough Secretary, Perri Shanaman; Dan Auman seconded the motion; motion was carried by all members voting yes.

**Code Enforcement Report** – Larry Hartman questioned if the car is being allowed in the back yard that was noted on the report. The Code Enforcement Officer stated it is not being allowed – he told the citizen he would have to make arrangements to store the vehicle elsewhere. Dan Auman made a motion to accept the Code Enforcement Report; Larry Hartman seconded the report; motion was carried with all members voting yes.

### **Communications**

VP Jim Niethammer shared the Police Incident Report with the council members. This report is the guide for the Central Booking Fees for the PA State Police.

### **Highway Supervisor Report**

Note was made of Item 20 of the report regarding the many man hours Dwight and John spent on the Railroad Crossing complaints. They spoke to Penn DOT, Norfolk Southern and Marie Swonger's office regarding the terrible condition of the railroad crossing in the center of town. Marie Swonger's office is the one that finally got to the right person and got the repairs scheduled. Michelle Voydik questioned if there are road closure signs posted outside of town due to the large number of tractor trailers she has been seeing in town. Dwight informed her there are signs outside of town informing the public the railroad is closed and the detour is marked.

### **Old Business**

VP Jim Niethammer informed the council the buyer for Charles Haddad's warehouse has withdrawn his offer and did not give a reason.

## **New Business:**

VP Jim Niethammer presented the MMO to Council for the Pension Fund. The obligation is for the borough to pay \$19,687.00 to the Non-Uniformed Pension Fund for the year 2015. Larry Hartman made the motion to pay \$19,687.00 to the Non-Uniformed Pension Fund; Dan Auman seconded the motion; motion was carried with all members voting yes. VP Jim Niethammer informed the Borough Council their obligation to the Police Pension Fund for the year 2015 is zero. Larry Hartman made the motion for to pay zero to the Police Pension Fund for the year 2015; John Mueller seconded the motion; motion was carried with all members voting yes.

VP Jim Niethammer informed the council they have been asked to adopt **Ordinance #375** as the guarantor for the Millcreek Richland Joint Sewer Authority to refinance their debt and save \$800,000 through the refinancing. Tom Harlan explained the Sewer Authority has bonds to pay. The Richland Borough is obligated for 30% of the debt guarantee and Millcreek Township is obligated for 70%. The MRJSA receives a better rate on borrowing, if the Borough and Township guarantee the loan. Neither the borough nor the township have ever been called upon to pay anything. MRJSA has the money and pays all the expenses. Larry Hartman made a motion to approve the Application for Economic Development; John Mueller seconded the motion; motion was carried with all members voting yes. Dan Auman made a motion to approve the Debt Statement issued to MRJSA; Travis Randler seconded the motion; motion was carried with all members voting yes. Matt Johnson made a motion to accept that the Certification Debt is self- liquidating and will not change; Larry Hartman seconded the motion; motion was carried with all members voting yes. Travis Randler made a motion to adopt **Ordinance #375** authorizing Richland Borough Council to guarantee the refinancing of the MRJSA debt; John Mueller seconded the motion; motion was carried with all members voting yes.

## **Communications**

The borough received two zoning permits – one for 205 S. Park Street adding a porch to their property; the other to tear down and erect a new barn/shed at 16 E. Main Street.

We received a notice from R J Hall notifying us the Dept of the Auditor General has determined the State aid unit value for 2014 will be \$3,872.95 per unit.

The Agricultural Land Preservation has asked for a donation, from the borough. Council members decided to table the decision at this time.

A letter was received, from Charles Haddad, stating the company who gave him a bid for the warehouse property has retracted their bid for the purchase of the property.

Dwight Belleman stated they will meet with the Fredericksburg Bank this coming Thursday, September 4, to sign the finance papers for the purchase of the new dump truck. He stated the borough should have the dump truck by the end of September.

Dwight also reported the handicap ramp is on schedule to be built in September or October.

The council then went into executive session and no notes were taken.

The council came out of Executive Session at 8:08 PM.

VP Jim Niethammer asked if there is any more business.

Committee Reports needed to be given.

**Highway** – Larry Hartman feels we should get a bid for sealed coating on some of the streets in town. He would like to reach out to Martin Paving for a bid.

**Property Committee** – nothing

**Safety Committee** – nothing

Tom Harlan then addressed Michelle Voydik's statement earlier, in council meeting, demanding Borough Council inform her son what the judge's decision was regarding the chickens on her property. Attorney Harlan stated the council does not have a duty to explain the decision to Michelle's son. Since she, the mother, has been on council in years past and her husband, Andy, the father, has previously served on the Zoning Board, they are both well aware of the ordinances of the town and, therefore, it is their duty, as parents, to explain the judge's decision. Discussion followed. Michelle then proceeded to inform her son that he has to get rid of the chickens and she further stated she had now done her job as a parent.

Because there was no other business at hand, Dan Auman made a motion to adjourn the meeting; John Mueller seconded the motion; motion was carried by all members voting yes.

Respectfully submitted by:

Perri Shanaman

Borough Secretary