



Leo S. Lutz, Mayor
Mary C. Wickenheiser, Council President

Robert L. Pfannebecker, Solicitor
Norman B. Meiskey, III, Borough Manager

FINAL AGENDA
COLUMBIA BOROUGH COUNCIL MEETING
May 9, 2011
7:00 P.M.

1. Call to Order and Roll Call
2. Invocation/Moment of Silence
3. Pledge to the Flag: Mayor Leo S. Lutz
4. Announcement of Executive Sessions
 - a. An executive session was held on May 9, 2011 at 6:00pm for purposes of information, personnel and legal matters.
 - b. A Personnel Committee Meeting was held on April 20, 2011 at 6:30pm.
5. Citizen Comments (Agenda items only)
 - a. Presentation of the Fiscal 2010 Financial Audit Report by Sager Swisher and Company, LLP.
6. Minutes for Approval
 - a. Consider approval of the Regular Borough Council Meeting Minutes for 4/11/11.
 - b. Consider approval of the Special Borough Council Meeting Minutes for 4/26/11.
7. Mayor Lutz
 - a. Proclamation 11-07: National Police Week
 - b. Proclamation 11-08: Emergency Medical Services Week
8. Historical Architectural Review Board (HARB)
9. Consent Agenda For Approval
 - a. March 2011 Check Register Report, Treasurer's Report, Budget Performance Reports: General Fund, Capital Fund, State Fund (Liquid Fuels), Waste Water Fund, Municipal Authority Capital Fund and
 - b. Tax Collector's Monthly Report for March 2011.
- II. Standing Committee Assignments
 10. The Committee on Finance
 - a. Consider approving the Fiscal 2010 Audit Report as presented by Mike Reiner of Sager Swisher and Company, LLP.
 - b. Consider approval of 2011 Budget Change No. 1(including Capital) revised 5/9/11
 - c. Consider waiving a permit fee in the amount of \$75.50, as requested by Holy Trinity Church, for the reconstruction of a shed which was destroyed by fire.
 11. The Committee on Highway
 - a. Consider authorizing the Zoning Officer to issue a Cease and Desist order to the owner of 400 Locust Street for the use of the space as a parking lot and any other unlawful purpose.
 - b. Consider authorizing the Highway Department to perform the necessary work to return the curb at 400 Locust Street to the original condition and lien the property for the cost.
 12. The Committee on Public Safety

- a. To remove from the table action of Resolution No. 2011-06: Authorizing Fire companies in Columbia Borough to participate in ancillary activities.
 - b. Consider approval of Revised Resolution No. 2011-06: Authorizing Fire Companies in Columbia Borough to participate in ancillary activities.
- 13. The Committee on Public Property
- 14. The Committee on Personnel
- 15. The Committee on Municipal Legislation
 - a. Consider authorizing the Borough Solicitor to revise and advertise Ordinance 112 section 65(c): To require property owners/managers to subpoena involved Code Enforcement and Police Department Personnel of appeal hearings regarding land lord eviction actions for tenant(s) disruptive conduct.
- 16. The Committee on Market
- 17. The Committee on Community Development
- 18. The Committee on Wastewater
 - a. Consider authorization to transfer \$350,000 from the Wastewater Account to the Municipal Authority Capital Account.
- III. Reports of Boards, Commissions, Authority, Solicitor, and Secretary/Treasurer
- 19. Solicitor
- 20. Secretary/ Treasurer
 - a. Consider acceptance of a lease with Chiques Rock Outfitters as the sole responsible bidder for River Park land area as noted in the Borough's Bid Package, for the purpose of Canoe/Kayak sales on a seasonal 6 month basis at a rate of \$100 per month.
 - b. Consider payoff of De Lage Landen Public Finance (Formerly Wachovia) note in the estimated amount of \$865,894.30.
 - c. Consider authorizing \$75,000 from the Borough's Capital Fund/Capital Fund Balance to the \$1.2M DCNR Grant Budget as a cash match for the proposed River Park and Rotary Park Project.
 - d. Consider authorizing \$47,000 from the Borough's Capital Fund/Capital Fund Balance to purchase a new Chevrolet 3500 1-Ton Dump Truck from Co-Stars participating vendors.
 - e. Consider approval of PPL Electric Service Agreement for Borough surveillance cameras subject to final review and approval of Borough Manager and Solicitor.
- 21. Boards/Commissions/Authority
- 22. Reports from Council Members
- 23. Citizen comments (Non-agenda items only)
- IV. Adjournment

**Columbia Borough Council Meeting
May 9, 2011
Paul W. Myers Council Chambers**

Council President Mary Wickenheiser called the meeting to order at 7:00 p.m.

Councilpersons present were: Barninger, Beury, Duncan, Murphy, Sears, Smith and Wickenheiser were present. Mayor Lutz was also present.

A prayer was offered by Bishop Clair Good of the Vision Columbia Church.

Mayor Lutz led the pledge to the Flag.

EXECUTIVE SESSION:

Council President Wickenheiser announced the following executive sessions:

- a. An executive session was held on May 9, 2011 at 6:00pm for purposes of information, personnel and legal matters.
- b. A Personnel Committee Meeting was held on April 20, 2011 at 6:30pm.

CITIZENS COMMENTS: (Agenda Items Only)

No Audience Citizen Comments

Mike Reiner of Sager Swisher and Company, LLP presented the Fiscal 2010 Financial Audit Report.

MINUTES FOR APPROVAL:

Motion: To approve the Regular Borough Council Meeting Minutes for 4/11/11.
Motion: Barninger 2nd: Duncan Voice Vote: All Favored

Motion: To approve the Special Borough Council Meeting Minutes for 4/26/11.
Motion: Barninger 2nd: Sears Voice Vote: All Favored

MAYOR LUTZ:

Mayor Lutz read Proclamation No. 11-07: National Police Week (5/15-5/21/11)

Mayor Lutz read Proclamation No. 11-08: Emergency Medical Services Week (5/15-5/21/11)

Mayor Lutz read a "thank you" letter from Marvin Moriority, Regional Director, United States Department of The Interior, Fish & Wildlife Division

Mayor Lutz noted that there was discussion at the May 3rd Legislation Committee Meeting regarding the Columbia Police not citing non-handicapped people who park in handicapped spaces. He noted that he and several police officers checked on three different days and that they did not find that this was an issue. He also stated that 22 people were cited year to date for illegally parking in handicapped spaces.

Mayor Lutz informed the Council and audience that recently there have been at least 5 cars in the Borough that were broken into and items stolen from them. He asked everyone to make sure they keep their cars locked and to make sure that all valuable items be removed from unoccupied vehicles. He noted that this has happened in different parts of town but that each break-in was within a block or two of major roadways.

HISTORICAL ARCHITECTURAL REVIEW BOARD (HARB) BUSINESS:

No action items.

Next meeting will be on Wednesday, May 18, 2011 at 7:00 p.m.

CONSENT AGENDA:

Motion: To approve the following consent agenda item(s):

- a. March 2011 Check Register Report, Treasurer's Report, Budget Performance Reports: General Fund, Capital Fund, State Fund (Liquid Fuels), Waste Water Fund, Municipal Authority Capital Fund and Tax Collector's Monthly Report for March 2011.

Motion: Duncan

2nd: Murphy

Voice Vote: All Favored

REPORTS OF STANDING COMMITTEES:

COMMITTEE ON FINANCE:

Motion: To approve the Fiscal 2010 Audit Report as presented by Mike Reiner of Sager Swisher and Company, LLP.

Motion: Murphy

2nd: Barninger

Voice Vote: All Favored

Motion: To approve of 2011 Budget Change No. 1 (including Capital) revised 5/9/11.

Motion: Murphy

2nd: Duncan

Voice Vote: All Favored

Motion: To waive the permit fee in the amount of \$75.50, as requested by Holy Trinity Church, for the reconstruction of a shed which was destroyed by fire.

Motion: Murphy

2nd: Duncan

Voice Vote: All Favored

Next meeting will be on Wednesday, May 11, 2011 at 6:30 p.m.

COMMITTEE ON HIGHWAY:

Motion: To authorize the Zoning Officer to issue a Cease and Desist order to the owner of 400 Locust Street for the use of the space as a parking lot and any other unlawful purpose.

Motion: Beury

2nd: Murphy

Voice Vote: All Favored

Motion: To authorize the Highway Department to perform the necessary work to return the curb at 400 Locust Street to the original condition and take appropriate action to collect any and all costs.

Motion: Beury

2nd: Smith

Voice Vote: All Favored

Borough Manager Meiskey informed Council of an approved Red Light Grant for \$32,850 which can be utilized for traffic control devices.

Next meeting will be on Monday, May 23, 2011 at 6:00 pm

COMMITTEE ON PUBLIC SAFETY:

Motion: To remove from the table action on Resolution No. 2011-06: Authorizing Fire Companies in Columbia Borough to participate in ancillary activities.

Motion: Barninger

2nd: Beury

Voice Vote: All Favored

Motion: To approve of Revised Resolution No. 2011-06: Authorizing Fire Companies in Columbia Borough to participate in ancillary activities.

Motion: Barninger

2nd: Duncan

Voice Vote: All Favored

Councilman Smith noted that at the April 26, 2011 Special Council Meeting Council approved the appointment of Sergeant Jack Brommer as Interim Acting Police Chief beginning June 1, 2011 due to the announcement by Police Chief Joe Greenya that he plans to retire on June 1st. Council also approved advertizing for Chief of Police candidates.

Next meeting will be on Monday June 6, 2011 at 6:30pm

COMMITTEE ON PUBLIC PROPERTY:

No action items.

Councilman Jim Smith noted that Comcast, McCarty's Seal Coating, Kreider Mulch, and Sacco employees joined in with the Columbia Borough Highway Employees and Council Members Beury and Duncan to cleanup, mulch and seal coat the basketball courts at Makel Park. He thanked everyone involved for their help and noted that the park looks great.

Councilman Jim Smith also acknowledged that several of the riverfront cottage owners were in the audience and noted that the sale of these properties is currently in the hands of the attorney. Borough Solicitor Robert Pfannebecker noted that he expects comments from the attorney within the next few days.

Next meeting will be on Tuesday June 7, 2011 at 7:30 p.m.

COMMITTEE ON PERSONNEL:

No action items.

COMMITTEE ON MUNICIPAL LEGISLATION:

Motion: To table agenda item 15a authorizing the Borough Solicitor to revise and advertise Ordinance 112 section 65(c): To require property owners/managers to subpoena involved Code Enforcement and Police Department Personnel of appeal hearings regarding land lord eviction actions for tenant(s) disruptive conduct.

Motion: Duncan

2nd: Beury

Voice Vote: All Favored

Next meeting will be on Tuesday, June 7, 2011 at 6:00 p.m.

COMMITTEE ON MARKET:

No action items.

Councilman Murphy noted that the Market Committee is moving along with the process of turning over Market House operations to the Market House Trust. Officers have been selected.

A meeting will be held on Tuesday May 10, 2011 with the Solicitor to work on the charter.

Next meeting will be on Wednesday, June 1, 2011 at 6:00 p.m.

COMMITTEE ON COMMUNITY DEVELOPMENT:

No Action Items.

Next meeting will be on Tuesday, May 24, 2011 at 6:00 p.m.

COMMITTEE ON WASTEWATER:

Motion: To authorize to transfer \$350,000 from the Wastewater Account to the Municipal Authority Capital Account.

Motion: Beury

2nd: Smith

Voice Vote: All Favored

Next meeting will be on Thursday, May 19, 2011 at 4:30 p.m.

SOLICITOR:

No items.

SECRETARY/TREASURER: Norman Meiskey

Motion: To accept a lease with Chiques Rock Outfitters as the sole responsible bidder for River Park land area as noted in the Borough's Bid Package, for the purpose of Canoe/Kayak sales on a seasonal 6 month basis at a rate of \$100 per month.
Motion: Duncan 2nd: Smith Voice Vote: All Favored

Council members and the Mayor explained that the lease will run from the time of signing until 10/31/11. There will be a small portable structure in the park during the dates of the lease which will be removed on or before October 31st. 40% of the rental fee will go to the Old Public Grounds as stated in the 99 year lease with the Borough. Norm Meiskey also stated that DCNR will also have to approve the lease.

Mayor Lutz noted that the owners of Chiques Rock Outfitters have spent a lot of time helping the Borough maintain rain gardens at River Park. He also noted that he feels that having this business in the park from about 8am until approximately sunset will create a presence which will deter vandalism.

Motion: To payoff De Lage Landen Public Finance (Formerly Wachovia) note in the estimated amount of \$865,894.30.
Motion: Barninger 2nd: Smith Voice Vote: All Favored

Motion: To authorize \$75,000 from the Borough's Capital Fund/Capital Fund Balance to the \$1.2M DCNR Grant Budget as a cash match for the proposed River Park and Rotary Park Project.
Motion: Duncan 2nd: Sears Voice Vote: Passed 5-2
Councilman Beury and Smith voted no.

Motion: To authorize \$47,000 from the Borough's Capital Fund/Capital Fund Balance to purchase a new Chevrolet 3500 1-Ton Dump Truck from Co-Stars participating vendors.
Motion: Beury 2nd: Smith Voice Vote: All Favored

Motion: To approve of PPL Electric service Agreement for Borough surveillance cameras subject to final review and approval of Borough Manager and Solicitor.
Motion: Murphy 2nd: Beury Voice Vote: All Favored

Borough Manager Meiskey thanked Council, Staff and Employees for their prayers and support during a very trying time in his life.

BOARDS/COMMISSIONS/AUTHORITIES:

No Items

REPORTS FROM COUNCIL MEMBERS

Councilman Beury noted that there were two K-9 checks received for the following:

\$120.00 – Tint the windows on the K-9 car

\$ 25.00 – Membership Dues for The Police Working Dog Association

CITIZEN COMMENTS: (Non-Agenda items)

Please see attached.

ADJOURNMENT:

Motion: To adjourn the meeting at 10:15 pm


Motion: Beury 2nd: Smith

Voice Vote: All Favored

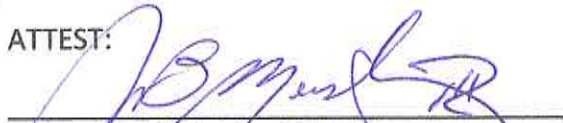
MOTIONED AND APPROVED this 13th day of June, 2011, by the Borough Council of the Borough of Columbia, Lancaster County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF COLUMBIA, LANCASTER COUNTY, PENNSYLVANIA.

By:


Mary Wickenheiser, Council President

ATTEST:


Norman B. Meiskey, III, Borough Secretary

COLUMBIA BOROUGH COUNCIL MEETING		
CITIZEN COMMENTS		
05/09/11		
Agenda Items (beginning of meeting)		
<u>Name and Address</u>	<u>Subject</u>	<u>Response</u>
No Citizen Comments		
COLUMBIA BOROUGH COUNCIL MEETING		
CITIZEN COMMENTS		
05/09/11		
Non-Agenda Items (end of meeting)		
<u>Name and Address</u>	<u>Subject</u>	<u>Response</u>
Frank Doutrich 1001 Ironville Pike, Columbia, PA 17512	1. Was Chiques Rock Outfitters the sole bidder for the canoe/kayak area at River Park?	1. Norm Meiskey responded YES
	2. Asked if there is a grant match for the Ironville Pike and 9th Street Safe Routes to School Grants	2. Norm Meiskey stated that on the 9th Street project the Borough paid \$80,000 in Engineering fees and because of the inspection level. He also stated that we will also have a state inspector for the Ironville Pike Project.
	3. Thanked Vice-President Barninger for asking questions regarding grant matches. Also asked if Council knows how the grant monies will be distributed between River and Rotary Parks?	3. Council and the Borough Manager answered that they will not know exactly how the monies will be distributed until they see how much money is awarded. Mayor Lutz said he believes that \$125,000 will go to the Makel Park Project.
	4. Asked if he could get information regarding the financial status of the Columbia Boro. Fire Departments?	4. Borough Manager Meiskey said that the Borough does not have this information and that Frank would need to go directly to the fire departments to see if they will give the information to him.
	5. Asked Norm Meiskey for the total costs associated with the N. 2nd Street Fire property demolition.	5. Borough Manager Meiskey said he does not know the figure off the top of his head but that he could get the figure.
	6. Asked how much money the Borough received from the sale of the 3rd and Linden Street Property.	6. Borough Manager Meiskey explained how the monies were broken down.
	7. Asked Council President Wickenheiser when it was determined that there would be no second citizen comment for agenda items at the end of the meeting.	7. Council President Wickenheiser stated that she would make note of Frank's concern.
	8. Discussed his feelings regarding the current Police Chief and that Council should be very careful when hiring the new Police Chief.	
Vernon Detz 315 Union Street, Columbia, PA 17512	1. Echoed Frank Doutrich's comments regarding citizen comments about agenda items at the end of the meeting. He feels that the discussion during the meeting often raises more questions which are currently left	1. Council President Wickenheiser said she would make note of Vern's concern.

	unanswered until the next meeting.	
	2. Asked why it takes so long to have a handicapped space removed when the property is no longer occupied. Stated that he parks in a space near his house which is no longer needed because the house is vacant.	2. Mayor Lutz explained that the Code Dept. is behind on handicap renewals because of changes to the rental registration process.
	3. Asked what change was made to the Budget change request since it was changed earlier in the day. His concern was that Council Members did not have time to consider the change on such short notice.	3. Council Wickenheiser answered the question.
	4. Commended Council regarding agenda items 11 a & b forcing 400 Locust Street to stop using the empty lot as a parking lot and allowing the Highway department to fix the curb.	
	5. Asked if the Borough would help in the funding of the newly created Market House Trust?	5. Borough Manager Melskey, the Mayor and Council Member Murphy stated that initially the Borough would have to give them "seed" money.
	6. Questions Council President Wickenheiser as to why there was not a roll call vote since there was so much conversation regarding the match money to the grant.	6. Council President Wickenheiser said she just didn't think about it.
	7. Asked why the Borough is spending \$35,000 to go through CEDC for the gifting of the Safe Harbor Properties when we could use our own Municipal Authority and not have to spend the money.	
	8. Asked why the difference between the appraisals for the River Front Properties.	8. Council President Wickenheiser noted that it was three parcels and is now 2 parcels.
Frank Splain 1230 Franklin Street, Columbia, PA 17512 Executive Director Columbia QRS	1. Thanked Mayor Lutz for the Proclamation for Emergency Service Workers	
	2. Thanked the Police saying that the Borough's Police Department are some of the best Police he has ever worked with.	
	3. Explained that the QRS Service will not be part of the Fire Company Consolidation. He stated that the QRS have signed on with Eastern York County to help with their ambulance service and will be compensated for their services.	
	The agreement will not cost the QRS or	

	Columbia Borough anything since they	
	will be using Eastern York Counties	
	ambulance.	