

President Neil Ecker called the June 6, 2023 regular council meeting of the Biglerville Borough Council to order at 7:00 p.m.

The following council members were present: Neil Ecker, President; John Angstadt, Robert Pantaleo, Janet L. Gliem, Melinda Warren Elnaggar (called in), Robert Smith, Robert E Guise, and Mayor Phil Wagner.

Guests: Craig Zack, KPI; Amrish Patel, Owner 36 N Main St; Darrell Miller, Realtor for 36 N Main St; Raj Patel; Ken Scott, Beyond All Boundaries; Wayne Smith, Code Enforcement Officer; Bernie Yannetti, Solicitor; Kevin Bollinger Sewer Operator; Kelly Shaffer, Office Assistant; Craig Hartley, Police Chief.

Authority Members: Richard Mountfort, Nicole Redden, Michael Landis, Phil Wagner  
Absent Authority member Erik Vranich

**GUISE MADE A MOTION TO APPROVE THE REGULAR MEETING MINUTES FOR MAY 2, 2023 MINUTES AND GLIEM SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.**

**AGENDA ADDITIONS:** None

**PSAB AWARD:** President Ecker presented Council member Janet Gliem a PSAB Board of Directors award for serving 31 years on the borough council.

**AUTHORITY:** Chair Redden requested the Authority vote on the following item:

- Make a motion to approve adopting of the required resolution with the requested amount of \$321,313, the authorization for the commitment letter to be signed and for any other reasonable items or actions necessary for submission of the CDBG funding application.

**AUTHORITY MOTION: WAGNER MADE A MOTION TO APPROVE ADOPTING THE RESOLUTION WITH THE REQUESTED AMOUNT OF \$321,313 AND FOR THE AUTHORIZATION FOR THE COMMITMENT LETTER TO BE SIGNED AND MOUNTFORT SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.**

**CITIZENS TO BE HEARD:**

- Amrish Patel, property owner at 36 N Main Street explained to council that he's trying to bring business to the town. Franchises take 6-8 months to receive. He advised that he has paid one (1) citation and may have three (3) more. Darrell Miller, real estate agent from Miller Real Estate who is the selling agent for Patel spoke and said that the property was purchased on December 10, 2021 since then they had contacted 5 Guys and Dunkin Donuts. Both franchises turned down the location of the borough due to the population.

Auto Zone came along in October of 2022. They are not interested in the property because of the same reason.

President Ecker commented and said the biggest concern about this property is the safety. Neighbors are complaining about the things flying off the roof. It is about the safety of the people and the council cannot wait for business to come into the property.

Patel stated that he is working with an engineer. Ecker stated that the borough will need his plans in writing. The Solicitor added that the Borough is exposing themselves to safety hazards and will need to have strict time parameters. They will need a signed contract with an engineer/architect or other advisor to complete a land development or building demolishing process before the next council meeting. Otherwise, the borough will continue with citations, if not provided. If the citations are not paid, a lien can be placed against the property. Patel was told to get a signed contract before the next council meeting, to be held on July 11, 2023.

Yannetti, Smith, Amrish Patel, Darrell Miller and Raj Patel left the meeting at this time.

- Ken Scott asked for a motion to be made to approve the Alvarez-Ponce lot additions subdivision plan.

**PLANNING COMMITTEE:** Angstadt asked Craig Zack what his thoughts were to make a motion on the Alvarez-Ponce lot addition. Zack commented and said he seconds to make a motion contingent on comments by county and engineers.

**ANGSTADT MADE A MOTION TO APPROVE THE ALVAREZ-PONCE LOT ADDITION SUBDIVISION PLAN BASED ON COMMENTS BY THE COUNTY AND THE BOROUGH ENGINEER. MOTION SECONDED BY GLIEM. MOTION CARRIED UNANIMOUSLY.**

Ken Scott left the meeting

**ORDINANCE COMMITTEE:** Elnaggar addressed the change to the solicitation ordinance with the hours allowed. Ecker, Chair of Finance and Personnel explained that Kona Ice approached the borough about selling their flavored ices in the borough. The hours in the current ordinance would prevent them from doing so. Elnaggar is working on amending the ordinance.

**A MOTION WAS MADE BY ELNAGGAR TO ADVERTISE THE SOLCITATION AMENDMENT ONCE COMPLETED AND SECONDED BY SMITH. MOTION CARRIED UNANIMOUSLY.**

**SEWER COMMITTEE:** Gliem read the sewer report.

- Treated total 5,019,000 gallons
- Average per day 162,000 gallons
- Weekly BOD, CBOD, Phosphorus, Ammonia Nitrogen, TSS, & Fecal Coliform samples
- Weekly nitrate-nitrite & total nitrogen samples
- Monthly Copper & Final Hardness samples
- We televised the sewer lateral for the property owner at 142 W. Hanover St. They have since replaced their lateral from the house to the curb line.
- We replaced the comminutor motor and gearbox this month at the STP. We were only offline for 6 days. This was budgeted for and approved at the last meeting.
- We had a leak on the decant fill line for SBR #2 this month. We were able to get it fixed in 1 day.

Kevin Bollinger

Water/Sewer Operator

Gleim asked Craig Zack for an update on the detour plan for the stormwater repairs at West York Street. Zack replied to the approved detour plan permit was forwarded to Jerry Justice Excavating, Inc. The contractor has informed KPI that they will begin installation when they obtain the necessary detour signs outlined in the approved plan.

**WATER COMMITTEE:** Smith read the water report.

In May our water system pumped a total of 2,795,000 gallons averaging 90,161 gal/day. That is an 1.2 % increase from April 2023 and a 21.3 % decrease from May 2022.

May's bacteria samples were taken on the 2<sup>nd</sup> at 374 Heidlersburg Road (G.V.M), 33 Musselman Ave. (boro office), 366 Arendtsville Road (Nutrien)

On May 17<sup>th</sup>, there was a water leak at 39 West York Street. It was leaking on the property owners' side of service lateral. They repaired it the next day.

We got quotes for 3 water leak paving repairs, 116 West York Street, 104 North Main Street and at the intersection of Rice & North Main Streets. C.E.Williams' had the lowest quote \$6,750.00. Kelly has the quotes. We need a motion from council to get the work done.

Doug wants councils' permission to buy a leaf blower. Eric needs one to help him with some of the cleaning up he is doing. When he starts painting curbs, he is really going to need one. Up

**WATER COMMITTEE (CONTINUED):**

to this point he has brought his personal one in. I think it is time to buy one of our own. Doug thinks it could be paid for under wish list line item # 448.374. We got a quote from Adams County Surplus. \$522.00 Kelly has the quote for that.

Council needs to make a motion on paying the invoice for L/B Water for the hydrants and parts for the E York St water project. The amount of the invoice is \$104,272.47. This amount should be paid out of the General account. Kelly has a copy of the invoice for that.

Water /Wastewater Operator  
Doug Hays

Smith asked Craig Zack where KPI was with the SRBC.

- Zack replied that a draft docket for the renewal application was sent out, was reviewed, and found to be acceptable. The application will now be considered for approval at the SRBC meeting on June 15<sup>th</sup>.

Smith asked Craig Zack for any updates on the E York St water line replacement project. Zack explained the following.

- Adams County has announced that 2023 applications for the CDBG funding will be received up until July 28,2023 from the County allocation available of \$321,313. The council could make a motion to request the funds and for KPI to submit the application. The Borough has previously received \$110,791.53 and \$100,000.00 for 2021 and 2022 respectively from the County and is eligible for a third and final round of this funding for this project. KPI has begun working on the application and would recommend requesting the entire amount, or more, of the \$321,313 available. A resolution and a funding commitment letter will be needed to finalize the application.

**A MOTION WAS MADE BY SMITH FOR THE REQUEST OF THE CDBG FUNDS IN THE AMOUNT OF \$321,313 AND FOR KPI TO SUBMIT THE APPLICATION AND SECONDED BY PANTALEO. MOTION CARRIED UNANIMOUSLY.**

- Zack also explained to council that applications submitted for the E York St project and for the SBR controls upgrade to DCED are to be considered in July sometime by the CFA Board. Moving forward with the project is waiting on this determination so the Penn Vest loan can be closed on.

**A MOTION WAS MADE BY SMITH FOR SELECTING CE WILLIAMS AS THE CONTRACTOR TO REPAIR THE WATER LEAK PAVING PROJECTS LOCATED AT 116 W YORK, 104 N MAIN AND RICE/N MAIN ST IN THE AMOUNT OF \$6,750.00 AND SECONDED BY GLIEM. MOTION CARRIED UNANIMOUSLY.**

**MOTION WAS MADE BY SMITH FOR THE APPROVAL OF PURCHASING A LEAF BLOWER AT \$522 FOR CLEANUP AND SECONDED BY ELNAGGAR. MOTION CARRIED UNANIMOUSLY.**

**MOTION WAS MADE BY SMITH TO APPROVE THE PAYMENT IN THE AMOUNT OF \$104,072.44 OUT OF GENERAL FUND TO LB WATER FOR THE PURCHASE OF THE PIPE FITTING AND HYDRANTS FOR THE E YORK ST WATER PROJECT AND SECONDED BY GLIEM. MOTION CARRIED UNANIMOUSLY.**

Craig Zack left the meeting

**FINANCE/PERSONNEL COMMITTEE:** President Ecker; Chair of Finance and Personnel and Personnel, called an executive session at 7:55 p.m. for Personnel reasons. Regular council meeting back in Session at 8:30 p.m.

**A MOTION WAS MADE BY ECKER, CHAIR OF FINANCE AND PERSONNEL AND SECONDED BY PANTALEO TO HIRE OFFICER JOSEPH DAVID, AS A FULL TIME POLICE OFFICER WITH A STARTING DATE OF JULY 1<sup>ST</sup>. THE 2023 STARTING ANNUAL SALARY RATE IS \$74,000 WITH ALL NORMAL FULL TIME BENEFITS THAT WILL BE PRORATED FOR 2023. MOTION CARRIED UNANIMOUSLY.**

**A MOTION WAS MADE BY ECKER, CHAIR OF FINANCE AND PERSONNEL, TO APPROVE THE PURCHASE OF TWO OFFICE CHAIRS IN THE AMOUNT OF \$524.00. THE CHAIRS WERE BUDGETED ITEMS SECONDED BY SMITH. MOTION CARRIED UNANIMOUSLY.**

**PROPERTY/HIGHWAY COMMITTEE:** Guise explained that an updated quote from Alpha Space was provided to the borough for putting down the crosswalks and stop bars at the 394/34 intersection only.

**A MOTION WAS MADE BY GUISE TO APPROVE THE UPDATED QUOTE FROM ALPHA SPACE TO HAVE THE CROSSWALKS AND STOPS BARS REDONE AT THE 394/34 INTERSECTION FOR \$2,299.00 AND SECONDED BY PANTALEO. MOTION CARRIED UNANIMOUSLY.**

**SAFETY COMMITTEE:** Pantaleo had no questions on police report (police report attached). Pantaleo asked Chief Hartley if he had anything to add.

Chief Hartley reported on a violation of the borough's Animal Ordinance. He suggested that the council meet with the District Attorney to review the ordinance. Ecker will discuss this with our solicitor.

**CODE ENFORCEMENT REPORT:** Report attached. The Secretary mentioned that the Code Enforcement Officer had in his report that he needs direction from the council on

how high weeds and grass need to be before letters are sent. The council concurred that 8 inches is the height for violations.

**MAYOR:** Mayor Phil Wagner reported:

- The community yard sale was a success. He would like to get a food truck next year.

**OLD BUSINESS:**

- Adams County COG memo was provided by Shaffer.

**NEW BUSINESS:**

- UASD Services Reimbursement Agreement was discussed.

**A MOTION WAS MADE BY PANTALEO TO ACCEPT THE UASD SERVICE REIMBURSEMENT AGREEMENT AND SECONDED BY SMITH. MOTION CARRIED UNANIMOUSLY.**

- National Register for Musselman House

President Ecker spoke about getting the Musselman house on the National Register. They will need some pictures of the house and information on how the house has changed. Also, he did reach out to past residents of the house to find out about obtaining information.

**A MOTION WAS MADE BY GUISE TO PAY BILLS AND ADJOURN THE MEETING AND SECONDED BY PANTALEO. MOTION CARRIED UNANIMOUSLY.**

BIGLERVILLE ZONING/CODE ENFORCEMENT  
MONTHLY ACTIVITIES REPORT FOR  
(May 2023)

List of Permits

NAME	ADDRESS	PERMIT	DATE APPLIED	DATE FILED
	72 E York St	Occupancy		06/01/23
	Fourth St	Dig		05/25/23

NAME	ADDRESS	REASON	DATE	OUTCOME
	63 Fourth St	Junk and debri 63 Fourth St notices for junk and debri Third Street notices for junk and debri and junk vehicles		Issued citations on 63 Fourth St (1) Junk & Debris Third St (2) Junk and Debris & Junk Vehicles Third St (2) Growers Property Junk and Debris & Vehicles. Both parties pled not guilty. Trial dates in June.
	36 N Main St	Condemned building		Filed 4 citations
	301 E York St	Dangerous building to the rear. Hole in roof. Notice sent.		Owner is repairing building
	301 E York St	Grass and weeds along sidewalks on Fifth St		Sending notice
	28 Diane Lane	Junk and debri on carport		Sent notices Filled citation Owner pled guilty and paid fine. Still not cleaned up. Filed another citation.
	14 High Street	Barn in poor condition		Issued demolition permit

Note on 36N Main St. Send final notice on 4/10/2023. Owner did not comply. Talked to owner on 5/2/23 and he stated he would provide a signed contract by the end of the day. I informed him that I would proceed on filling citations if not received starting 5/6/23 and following every week in May and daily in June without any further notice. Followed up with email to e completely clear as to what the borough is requiring. Owner did not comply, instead he provided documents from his engineer.

CONTINUING TO FILE CITATIONS AS DIRECTED.

Signed By:  
Wayne Smith  
Zoning/Code Enforcement Officer

**BIGLERVILLE POLICE DEPARTMENT  
MONTHLY ACTIVITIES REPORT FOR  
(MAY 2023)**

23	COMPLAINTS OR SERVICE CALLS	37	TRAFFIC STOPS
32	TOTAL ARREST	28	TRAFFIC
4	CRIMINAL	13	WARNINGS
2	INVESTIGATIONS	5	PSP HANDLED CALLS
976	TOTAL MILES TRAVELED	197.5	TOTAL HOURS WORKED
126.5	Hartley	10	Cuffley
		61	David

COMPLAINTS / SERVICE CALLS	TRAFFIC ARREST	CRIMINAL ARREST
6 – Follow up investigations	19 – Maximum Speed Limits	2 – Harassments
3 – County Court Appearance	4 – Expired Inspections	1 – Simple Assault
2 – Harassment	2 – Expired Registration	1 – Borough ATV Ordinance
1 – Hold Up Alarm	2 – Driving Under Suspension	
1 – Assist EMS	1 – Drivers Required to be Licensed	
1 – Building Check		
1 – Noise Disturbance		
1 – Domestic in Progress		
1 – Lost / Missing Property		
1 – Information		
1 – Ordinance Violation		
1 – Reckless Driver		
1 – Vehicle Repo Info		
1 – Suspicious Activity		
1 – Psych /Suicidal Person		

**TYPE OF INVESTIGATIONS:**

2	Harassment
1	Simple assault
1	Borough ATV Ordinance

**STATUS OF INVESTIGATIONS (MAY 2023)**

<u>0</u>	CLOSED UNSOLVED / OPEN
<u>0</u>	UNFOUNDED
<u>0</u>	UNDER INVESTIGATION
<u>2</u>	CLEARED = Arrest, Closed in House, Victim Refused to Cooperate

**STATUS OF INVESTIGATIONS YEAR TO DATE 2023**

<u>1</u>	CLOSED UNSOLVED / OPEN
<u>1</u>	UNFOUNDED
<u>2</u>	UNDER INVESTIGATION
<u>14</u>	CLEARED = Arrest, Closed in House, Victim Refused to Cooperate

REPORTING OFFICER: CHIEF Craig A. Hartley



ACCOUNT TITLE:	GENERAL ACNB FUND with PLGIT	SEWER ACNB FUND with PLGIT	WATER ACNB FUND with PLGIT
BAL BRO FWD	\$127,756.16	\$51,120.10	\$50,324.46
DEPOSITS	\$239,662.12	\$68,902.83	\$43,043.04
SUB TOTALS	\$367,418.28	\$120,022.93	\$93,367.50
BILLS	\$198,274.47	\$27,950.24	\$28,559.47
<b>TOTALS</b>	<b>\$169,143.81</b>	<b>\$92,072.69</b>	<b>\$64,808.03</b>
<b>PLGIT TRUST BALANCES TITLE:</b>	<b>\$777,661.85</b>	<b>\$402,041.32</b>	<b>\$81,821.93</b>
	<b>SPECIAL PLGIT HIGHWAY FUND</b>	<b>CAPITAL RESERVE PLGIT TRUST FUND</b>	<b>PUBLIC SAFETY POLICE PLGIT</b>
BAL BRO FWD	\$98,768.98	\$230,301.44	\$246.19
DEPOSITS	\$428.76	\$1,002.26	\$1.01
SUB TOTALS	\$99,197.74	\$231,303.70	\$247.20
BILLS	\$0.00	\$0	\$0
<b>TOTAL TRUST</b>	<b>\$99,197.74</b>	<b>\$231,303.70</b>	<b>\$247.20</b>
<b>(ONLY PLGIT) ACCOUNT TITLE:</b>	<b>PAYROLL ACNB FUND (No PLGIT)</b>	<b>AUTHORITY ACNB FUND (No PLGIT)</b>	<b>AUTHORITY #2 STP PROJECT 2017-ACNB FUND (No PLGIT)</b>
BAL BRO FWD	\$1,500.05	\$7,734.11	\$4,917.94
DEPOSITS	\$35,562.12	\$5,542.00	\$3,633.02
SUB TOTAL	\$37,062.17	\$13,276.11	\$8,550.96
BILLS	\$35,022.65	\$5,541.72	\$3,633.02
<b>TOTALS</b>	<b>\$2,039.52</b>	<b>\$7,734.39</b>	<b>\$4,917.94</b>
<b>ACCOUNT TITLE:</b>	<b>AUTHORITY #3 ACNB FUND (No PLGIT)</b>		
BAL BRO FWD	\$100.00		
RECEIPTS	0.00		
SUB TOTAL	\$100.00		
BILLS	\$0.00		
<b>TOTALS</b>	<b>\$100.00</b>		

Signed,

Sandra L. Vazquez  
Secretary/Treasurer