

President Neil Ecker called the July 11, 2023 regular council meeting of the Biglerville Borough Council to order at 7:00 p.m.

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

The following guests were present: Ethan Lush, Gettysburg Times Reporter, Kevin Bollinger, Sewer/Water Operator, Greg Riggeal, Craig Zach, KPI, Kelly Shaffer, office assistant and Chief Craig Hartley.

ELNAGGAR MADE A MOTION TO APPROVE THE JUNE 6, 2023 REGULAR MEETING MINUTES. GLIEM SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

OPPORTUNITY FOR CITIZENS TO BE HEARD: President Ecker stated that Bob Sharrah was not present regarding the Canner Storage Land Development plan.

President Ecker called on Greg Riggeal who has a sales agreement on 125 Fourth Street property.

- Riggeal plans to operate a fiberglass fabrication shop on that property if the council approves a Zoning Map Change from Commercial District to Industrial District. It is a light manufacturing business.
- Ecker stated that this is not a spot zoning request because the adjoining property is zoned Industrial District.
- Craig Zack, KPI, announced that the council may hold a hearing to make this amendment to the Zoning. The solicitor recommended holding the hearing 15 minutes before the regular council meeting on 9/5/23. Council concurred.

A MOTION WAS MADE BY SMITH AND SECONDED BY ELNAGGAR TO ADVERTISE THE HEARING ON 9/5/23 AT 6:45 P.M. MOTION CARRIED UNANIMOUSLY.

Riggeal left the meeting at this time.

PLANNING COMMITTEE: Angstadt reported on the agenda items:

- Canner Storage Land Development plan can be discussed at the August 1, 2023 meeting because their extension was granted until August 30, 2023.
- The Zoning Map Change request will have a hearing as reported for 125 Fourth Street property.

SEWER COMMITTEE: Gliem read the sewer report.

- Treated total 4,023,000 gallons
- Average per day 134,000 gallons.
- Weekly BOD, CBOD, Phosphorus, Ammonia Nitrogen, TSS, & Fecal Coliform samples
- Weekly nitrate-nitrite & total nitrogen samples
- Monthly Copper, Final & Upstream Hardness samples

Kevin Bollinger

Water/Sewer Operator

- Craig Zack, KPI, reported that the sinkhole repair was completed this month by Justice Excavating at the contract price of \$96,500. He did not think the 10% retainage would be necessary but asked the council for their decision.

A MOTION WAS MADE BY GLIEM AND SECONDED BY SMITH TO PAY THE REQUEST FOR SINKHOLE WORK ON WEST YORK STREET FOR \$96,500. MOTION CARRIED UNANIMOUSLY.

WATER COMMITTEE: Smith announced no water report this month.

- KPI provided the following report on the East York Street project and associated grants.
- The 2023 application for the Community Development Block Grant (CDBG) funding was submitted to Adams County. The County responded taking issue with the schedule provided, which was based on advertisement of the project after the determination of the H2O PA award, by stating that the project cannot be advertised for the funds awarded until a recipient agreement is in place for the 2022 award.
- This information not only affects the 2022 CDBG award but would also apply to the application submitted for 2023 CDBG funding. Given this potential financial impact we have reached out to PennDOT to see if they would entertain any further delays and fortunately, they were able to after some successful lobbying by Adams County went well.
- The applications submitted for this project and for the SBR controls update to DCED were to be considered in July sometime by the CFA Board. However, I have been informed that the meeting to determine the funding has been moved to September.
- The outcome of this is that PennDot has agreed to delay their project by one year. The H2O grant and Small Sewer and Water grant have been delayed for a decision until September 2023. The council concurred to bid on the project next year due to the

- award dates on grants for DCED and CDBG. He suggested that the pipes and fittings be turned and a discussion with L/B Water on their storage.
- Zack reported that SRBC has approved our application and it will have that status for 15 years.

FINANCE/PERSONNEL COMMITTEE:

President Ecker called an Executive Session regarding personnel at 7:17 p.m. and returned to the regular session at 7:30 p.m.

Shaffer explained the results from the two (2) PMRS Cost Study items for Police pension and non-Uniformed pension (N1 only).

- The cost of the Police plan is estimated at \$214 per year. This is based on one current employee. The extra billing will begin two (2) years after the documentation is approved (2025).
- The cost of the non-Uniform plan is estimated at \$911 per year. This is based on four employees. The extra billing will begin two (2) years after the documentation is approved (2025).
- The council concurred to set the effective date on July 1, 2023 so that the most recently hired police officer will be included for both amendments to be added to the plans.

A MOTION WAS MADE BY ECKER, AS CHAIR OF FINANCE AND PERSONNEL, TO APPROVE AND MOVE FORWARD WITH THE CHANGES TO THE PENSION PLANS AND HE MADE A MOTION TO ADVERTISE THE AMENDMENTS. THE EFFECTIVE START DATE IS JULY 1, 2023 FOR BOTH ITEMS. THIS WAS SECONDED BY ELNAGGAR. MOTION CARRIED UNANIMOUSLY.

PROPERTY/HIGHWAY COMMITTEE: Nothing to report.

SAFETY COMMITTEE: Pantaleo stated he has no questions on the Police Report.

Chief Hartley reported that the new Police Officer started July 1, 2023 and he received his equipment and uniforms. He will begin Taser Instruction School on August 7, 2023 to be certified.

ORDINANCE COMMITTEE: Elnaggar reported on the following ordinance issues:

- The Transient Retail Merchant Amended Ordinance was duly advertised and is ready to be voted on by the Council.

A MOTION WAS MADE BY ELNAGGAR AND SECONDED BY SMITH TO APPROVE THE TRANSIENT RETAIL MERCHANT AMENDED ORDINANCE MOTION CARRIED UNANIMOUSLY.

- The Backflow Ordinance is on hold.
- The council discussed an amendment to our Ordinance #10-94 which would add a section that it would be unlawful to maintain Interior furniture on porch. Discussion on appearance and enforcement problems. Council concurred to have Elnaggar to draft the amendment to be approved at the August 1, 2023 meeting.
- Elnaggar explained that the office found an error in our Ordinance #6-98, Salary for Council Members and Mayor. The section in the ordinance states that elected officials must attend monthly meetings in order to be paid. This section needs to be amended, according to the borough Solicitor. Therefore, the ordinance needs to be amended, to correct the error.

A MOTION WAS MADE BY ELNAGGAR AND SECONDED BY PANTALEO TO ADVERTISE THE #6-98 ORDINANCE AMENDMENT. MOTION CARRIED UNANIMOUSLY.

- The off-street general parking ordinance was discussed and recommended that the committee prepare a draft amendment in order to make the ordinance less stringent. Discussion on business concerns in the borough and previous variances provided. Council concurred to have Elnaggar discuss the same with KPI and samples from other municipalities.

CODE AND ZONING ENFORCEMENT REPORT JUNE 2023		
Lists of permits:	Address & Reason	Date Applied
	329 E York St/Apt/Occupancy	06/06/2023
	45 Diane Lane	06/22/2023
Investigations and inspections	ADDRESS:	DATE OF 1st inspection final inspection
	63 Fourth St – Junk and Debris	Pending borough decision
	36 N Main St – Condemned building	Pending borough decision
	112 S Main St – Junk and debris. Sent notice	6/28 Sent notice
	301 E York St – Grass and weeds along sidewalks on Fifth St	6/28 Sent notice
	43 N Main St – Junk and debris. Sent notice	6/28 Sent notice
	13 W York St – Junk vehicle	6/28 Sent notice
	28 Diane Lane	Junk and Debris on carport. Issued two citations. Property was cleaned up
	63 Fourth St & Third St & Growers Property	6/28 Grass and weeds sent notice

Signed by:

Wayne Smith
 Zoning/Code Enforcement Officer

The council received from Amrish Patel a signed and notarized proposal from JDI Site Solutions, LLC for 36 North Street property.

- The proposal scope of work was for obtaining permits from DEP, Biglerville Borough and MDIA, environmental testing and abatement assessment required by the Biglerville Borough to demolish the building.
- The council will send a letter accepting this proposal. They gave a 90-day deadline to have a signed contract for demolition with a start date of demolition, install a safety fence around the construction site and obtain all necessary permits.
- A notice will be sent to the school about this demolition and suggests moving the bus stop in front of 36 North Main Street for safety purposes.

A MOTION WAS MADE BY PANTALEO TO GIVE PATEL A 90 DAY PERIOD TO HAVE PROJECT STARTED AND CONSTRUCTION IN PROGRESS WITH A SAFETY FENCE AROUND THE BUILDING AND HAVE A CONTRACT SIGNED TO START THE DEMOLITION. THE MOTION WAS SECONDED BY GLIEM. MOTION CARRIED UNANIMOUSLY.

MAYOR: Mayor Wagner announced the South Mountain Fair July 25 to July 29.

OLD BUSINESS: Shaffer provided the minutes from the last COG meeting.

NEW BUSINESS: A discussion between council members was held regarding the legalization of marijuana in Pennsylvania and any possible zoning changes.

MONTHLY ACTIVITIES REPORT FOR JUNE 2023

23 COMPLAINTS OR SERVICE

29 TOTAL ARREST

24 TRAFFIC

3 CRIMINAL

2 INVESTIGATIONS

12 WARNINGS

4 PSP HANDLED CALLS

854 TOTAL MILES TRAVELED

207.5 TOTAL HOURS WORKED

111.5 HARTLEY 16 CUFFLEY and 80 DAVID

COMPLAINTS/SERVICE CALLS

TRAFFIC ARREST

CRIMINAL ARREST

4 Follow up

15 Maximum Speed Violations

2 Disorderly conduct

3 Asst EMS

4 Expired Registrations

1 Underage Drinking

2 Prohibited offensive Weapons 2 Drivers Required to be Licensed

2 Information Requests

2 Expired Inspections

2 Vehicle Repossession Notices 1 Suspended Registrations

1 Found property

1 Megan's Law Notification

1 Assist PD

1 County Court

1 Hit & Run BOLO

1 Reckless Driver Complaint

1 Assist EMS w Suicidal Person

1 Traffic Control Detail Funeral

1 Utility Work Info

1 Welfare Check

TYPE OF INVESTIGATION

1 Disorderly Conduct

1 Underage Drinking

STATUS OF INVESTIGATIONS:

14 CLOSED ARREST

02 UNDER INVESTIGATION

02 CLOSED UNSOLVED

01 CLOSED UNFOUNDED

01 REFER TO OTHER AGENCY

02 CLOSED IN HOUSE

STATUS OF INVESTIGATIONS FOR 2023

07 CLOSED UNSOLVED

07 UNFOUNDED

03 UNDER INVESTIGATION

34 CLEARED

REPORTING OFFICER: CHIEF CRAIG A. HARTLEY

A MOTION WAS MADE BY GUISE AND SECONDED BY PANTALOE TO PAY THE BILLS AND ADJOURN THE MEETING. MOTION CARRIED UNANIMOUSLY AT 8:33 P.M.

ACCOUNT TITLE:	GENERAL ACNB FUND with PLGIT	SEWER ACNB FUND with PLGIT	PAGE WATER ACNB FUND with PLGIT
BAL BRO FWD	\$169,143.81	\$92,072.69	\$64,808.03
DEPOSITS	\$188,835.61	\$30,172.72	\$106,940.61
SUB TOTALS	\$357,979.42	\$122,245.41	\$171,748.64
BILLS	\$192,185.25	\$46,399.40	\$131,508.78
TOTALS	\$165,794.17	\$75,846.01	\$40,239.86
PLGIT TRUST TITLE:	\$676,590.23 SPECIAL PLGIT HIGHWAY TRUST FUND	\$403,762.68 CAPITAL RESERVE PLGIT TRUST FUND	\$82,172.22 PUBLIC SAFE POLICE PLGIT TRUST FUND
BAL BRO FWD	\$99,197.74	\$231,303.70	\$247.20
DEPOSITS	\$4,234.20	989.96	\$1.00
SUB TOTALS	\$103,431.94	\$232,293.66	\$248.20
BILLS	\$2,400.00	0	00.00
TOTAL TRUST (ONLY PLGIT)	\$101,031.94	\$232,293.66	\$248.20
ACCOUNT TITLE:	PAYROLL ACNB FUND (no PLGIT)	AUTHORITY ACNB FUND (no PLGIT)	AUTHORITY #2 STP PROJECT 2017- ACNB FUND (no PLGIT)
BAL BRO FWD	\$2,039.52	\$8,015.93	\$4,806.23
DEPOSITS	\$38,872.07	5,542.01	3,521.31
SUB TOTAL	\$40,911.59	13,557.94	8,327.54
BILLS	\$38,305.08	5,541.72	3,521.31
TOTALS	\$2,606.51	\$8,016.22	\$4,806.23

Signed,

Sandra L. Vazquez
Secretary/Treasurer