

President Neil Ecker called the March 7, 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 Pantaleo, Janet L. Gliem, Melinda Warren Elnaggar, Robert E. Guise, Robert Smith, and Mayor Phil Wagner.

Guests: Craig Zach, KPI; Brian Little, Citizen; Jenna Smith, Adams County Office of Planning & Development; Kevin Bollinger, Sewer Operator; Kelly Shaffer, Office Assistant.

Authority Members: Richard Mountfort; Michael Landis; Phil Wagner.

ELNAGGAR MADE A MOTION TO APPROVE THE SPECIAL PUBLIC MEETING FOR ALLEY HEARING AND REGULAR MEETING MINUTES FOR FEBRUARY 7, 2023 MINUTES AND PANTALEO SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

AGENDA ADDITIONS: None

AUTHORITY:

President Ecker reported that the Authority Chair Redden is absent and that Craig Zack will review the various items on the agenda for the Authority members. There is a quorum for the Authority.

Zack stated that various grants require signatures from the Authority's Secretary. Since that position has not been filled; the Authority has requested that Landis be appointed to the Secretary/Treasurer position.

AN AUTHORITY MOTION WAS MADE BY WAGNER AND SECONDED BY MOUNTFORT TO APPROVE MICHAEL LANDIS AS SECRETARY/TREASURER FOR THE AUTHORITY. MOTION CARRIED UNANIMOUSLY.

Zack stated that the Chapter 94 report has been completed by KPI and is ready to be signed by the Authority Chairperson and forwarded to DEP.

AN AUTHORITY MOTION WAS MADE BY LANDIS AND SECONDED BY WAGNER TO APPROVE AND HAVE THE CURRENT CHAPTER 94 REPORT SIGNED AND SENT TO DEP. MOTION CARRIED UNANIMOUSLY.

Zack provided the most up-to-date information on the railroad agreement. The insurance information was completed and will be sent with this agreement and the appropriate fees.

AN AUTHORITY MOTION WAS MADE BY MOUNTFORT AND SECONDED BY WAGNER TO APPROVE THE CURRENT RAILROAD AGREEMENT APPROVED AND SIGNED. MOTION CARRIED UNANIMOUSLY.

Zack discussed the PA H20 grant, and the Authority is required to file a DCED request letter and resolution for this grant. A motion of the Authority is needed for these items.

AN AUTHORITY MOTION WAS MADE BY MOUNTFORT AND SECONDED BY WAGNER TO APPROVE THE PA H20 GRANT REQUEST LETTER AND RESOLUTION. MOTION CARRIED UNANIMOUSLY.

Mountfort and Landis left the meeting at this time.

OPPORTUNITY FOR CITIZENS TO BE HEARD: President Ecker called on Jenna Smith, Adams County Planning and Development office regarding the historical work being done on the updated draft of the Comprehensive Plan for Adams County. Smith requested municipal feedback on historical places. They are planning to list Preservation and Historical Protection resources, Historical Native American and Minority citizens in conjunction with Department of Conservation and Natural Resources (DCNR) and planning a website for historical resources. She is looking for information on properties that are on the national register and the properties would be over 50 years old. President Ecker suggested a few locations in the borough and that the borough office property should be included in this list. Smith thanked the council and left the meeting at this time.

Brian Little was called on if he had anything to add to the meeting. He said he was present to hear what the council discussed on the two alleys (included in the Bennett Subdivision) that were advertised and included in the ordinance to be voted on at this meeting. He said he was not opposed to the ordinance.

PLANNING COMMITTEE: John Angstadt discussed the request from Beyond All Boundaries, Inc. to vacate the alleys mentioned on the subdivision plan and the petition to take this action.

A MOTION WAS MADE BY ANGSTADT AND SECONDED BY ELNAGGAR TO MOVE FORWARD AND APPROVE THE ORDINANCE TO VACATE THE TWO ALLEYS. MOTION CARRIED UNANIMOUSLY.

Craig Zack, KPI, discussed with the council that the Bennett Subdivision will split the alleys with the adjoining properties and address the KPI comment on this plan. They have until May to complete these actions. Council will wait to hear back from them.

SEWER COMMITTEE: Gliem read the sewer report.

- Treated total 4,124,000 gallons
- Average per day 147,000 gallons
- Weekly BOD, CBOD, Phosphorus, Ammonia Nitrogen, TSS, & Fecal Coliform samples
- Weekly nitrate-nitrite & total nitrogen samples
- Monthly Copper & Final Hardness samples
- We finished off the UV system maintenance this month. We had to wait for parts to get the last rack back in service.
- Televiser sewer lateral for the property owner at 98 S. Main St.
- Form 43 sludge analysis for the landfill
- We had issues over the weekend with the transducers for the SBR tanks. We realized that we do not have spares on hand for these. Attached is a quote for the transducers to have here for spares.

Kevin Bollinger

Water/Sewer Operator

Gliem requested that the borough council vote on an Aqua Aerobics invoice for the transducers for the SBR tanks at \$2,120.54 and this does not include the shipping.

A MOTION WAS MADE BY GLIEM AND SECONDED BY SMITH TO PURCHASE THE TRANSDUCERS FROM AQUA AEROBICS AT \$2,120.54 PLUS SHIPPING. MOTION CARRIED UNANIMOUSLY.

Gliem reported that the Chapter 94 report was prepared by KPI and ready to be sent to DEP. This needs a motion from the council to send to DEP.

A MOTION WAS MADE BY GLIEM AND SECONDED BY SMITH TO ACCEPT AND APPROVE THE CHAPTER 94 REPORT AND SEND TO DEP. MOTION CARRIED UNANIMOUSLY.

Zack stated that he is trying to obtain the West York Street sinkhole project. The contractor is waiting for a date on the supplies for this project.

WATER COMMITTEE: Smith read the water report.

In February, our water system pumped a total of 3,066,000 gallons averaging 109,500 gal/day. That's a 0.2 % increase from January 2023 and a 5.2 % decrease from February 2022.

February's bacteria samples were taken on the 1st at 110 South Main Street (7-11 store), 33 Musselman Ave. (boro office), and 38 West York Street (Adams County Surplus). On the same day, annual Nitrate -Nitrite samples were taken at Well #7. On the 9th Nitrate- Nitrite samples were taken at Wells # 5 and #6.

On the 20th we replaced a water meter in a pit that froze and broke a month and half ago at Nutrien (366 Arendtsville Rd.) we think this water loss is some of what we've been looking for.

On the 15th Chamberlin & Wingert dug a dry hole across from the fire hall trying to find a water leak. Theirs' a water leak in the area, we just didn't find it yet. Chris Shutt from Pa. Rural Water was back in again Tuesday night the 21st trying to locate the leak, but no luck. For now, it's on the back burner.

On March 3rd Doug updated the water company's O. & M. Plan. (Updated annually). The Source Water Protection Plan update was submitted to D.E.P. and to committee members. The due date is 3/31/2023. Our committee chair (Dick Mountfort) resigned from the chair and committee. We would like to thank Dick for being instrumental in helping to start Biglerville Water Company Source Water Protection Plan. We need to appoint a new chairperson. If any current committee member is interested in filling the position, contact the Biglerville borough office. This is what I wrote in the plan update.

Craig Zack and Doug are still trying to get the new permit for Well #7 through the S.R.B.C. Now they're back to the Fish & Game Commission with the Bog Turtle and they also want to put a limit of 150,000 gallons/day for our system. We have 14 months since the beginning of 2006 with a monthly average greater than 150,000. All in 2006 and 2007. Craigs' putting together a letter to get that # to 200,000 but if we get 175,000, we'll be lucky. We got an email yesterday stating they would consider the 200,000.

Kinsley Construction gave us a quote of \$5,995.00 (email attached) to pave two water leak repairs. 127 West York Street and one at the intersection of West York and Franklin Streets. We need councils' approval to get the repairs made.

Water /Wastewater Operator
Doug Hays

Bollinger reported more information on the following items: (1) S.R.B.C. limits on our permit are being discussed with the agency and KPI for an increased limit. (2) The dry hole was marked by PA Rural Water but when it was dug; no water leak was found. (3) This report on Nutrien water pit included a water meter that froze during the last cold spell.

Zack reported that he is working with S.R.B.C. on the 200,000 gallons/day for our water system at Well #7. This will give a little room for growth, if needed.

Smith suggested a motion by the council to approve the Kinsley contract.

A MOTION WAS MADE BY SMITH AND SECONDED BY PANTALEO TO APPROVE THE KINSLEY CONSTRUCTION QUOTE FOR TWO REPAIRS LOCATED ON WEST YORK STREET FOR \$5,995.00. MOTION CARRIED UNANIMOUSLY.

Zack stated that the PennVest meeting was held on February 8, 2023 and they reviewed the project timeline including grant awards. The borough has reached out to the Legislators for letter(s) of support. The Authority has met the requirements for the grant applications. However, Zack reported that if our borough gets a grant award that we may have to do a Request for Proposal (RFP) on all professional services. Zack will report back to the council, if required. Zack is working on the "SAMS" registration with the federal government if the borough receives an award and this allows the money to be distributed to us.

Also, Zack confirmed that the Adams County Commissioners grant for Adams Response and Recovery Funds (ARFF) is to be announced on March 31, 2023. KPI sent in the application on this funding for the borough to assist for the East York Street Water Replacement project. Also, the Highway Occupancy permit was received on this project.

Zack stated that the license agreement with the Pioneer Railroad will be sent in this month.

Zack discussed the water project pipe delivery. He expected this to be direct shipped to us. The storage location will be discussed with Curt Grim at 144 East York Street and Blake Slaybaugh along West Hanover Street. If weeds grow up around the pipe; the borough agreed that they would remove them. The pipe will be unloaded by Knouse Foods employee. Zack asked Adams County Planning if the Community Development Block Grant money (CDBG) can be used for these materials. Gliem discussed the pipe payment from General Funds.

Shaffer talked to the council about the Biglerville Source Water Protection program. She reported the Butler Township and Biglerville Borough has a vacancy for the program and a chair is needed for this program.

The Backflow Preventor was discussed by Elnaggar and residential backflow assessing every 5 years and replacement of the valves.

Zack and Little left the meeting at this time.

FINANCE/PERSONNEL COMMITTEE:

President Ecker called an executive session regarding Personnel at 7:53 p.m. and returned to the regular meeting at 8:20 p.m.

A MOTION WAS MADE BY ECKER, AS CHAIR OF FINANCE AND PERSONNEL, AND SECONDED BY PANTALEO TO PAY FOR THE MEDICARE REIMBURSEMENT CORRECTIONS (941x) AND ACCOUNTANT FEES (SEK) AT \$7,833.71. MOTION CARRIED UNANIMOUSLY.

A MOTION WAS MADE BY ECKER, AS CHAIR OF FINANCE AND PERSONNEL, AND SECONDED BY PANTALEO TO REQUEST A PMRS PENSION COST STUDY FOR BOTH PENSIONS FOR ALLOWING FULL TIME EMPLOYEES TO PART TIME HOURS, CONTINUALLY AND TO ALLOW FULL TIME EMPLOYEES TO START PENSION ON THE FIRST DAY OF WORK. MOTION CARRIED UNANIMOUSLY.

A MOTION WAS MADE BY ECKER, AS CHAIR OF FINANCE AND PERSONNEL, AND SECONDED BY PANTALEO TO TERMINATE FLAGGERS FROM OUR PAYROLL. MOTION CARRIED UNANIMOUSLY.

President Ecker reported on the General Code 360 update. The amount due is \$1,395 and was not budgeted for this year but it was due to the two (2) ordinances adopted in 2022 was done after the budget was completed.

A MOTION WAS MADE BY ECKER, AS CHAIR OF FINANCE AND PERSONNEL, AND SECONDED BY GLIEM TO UPDATE THE GENERAL CODE 360 CODIFICATION AT \$1,395.00. MOTION CARRIED UNANIMOUSLY.

Shaffer made a suggestion on the purchase of the NAREMA Truck by the members of the NAREMA group which were: (1) Biglerville Borough donate towards the truck based on the number of members of the group that will donate also – cost divided by membership number ($\$11,000 \div 7 = \$1,575$ estimated cost per member). (2) Memo of Understanding (MOU) draft sent out to the membership for review and approval. (3) Provide the information on the list of members included in this MOU, location of the truck, second year maintenance and repairs costs, certificate of insurance, what personnel have the truck access. Council concurred to follow this Shaffer suggestion and send an email to Jed Smith requesting the MOU and additional information before a donation is made to the current owner.

A MOTION WAS MADE BY ECKER, AS CHAIR OF FINANCE AND PERSONNEL, AND SECONDED BY PANTALEO TO SEND NAREMA A LETTER OF INTENT TO MAKE OUR PLEDGE AND NEED ALL DOCUMENTATION REQUESTED AND WE WILL WAIT FOR FUTURE RESPONSE BEFORE ANY PAYMENT IS MADE. MOTION CARRIED UNANIMOUSLY.

Gliem recommended that the borough send a letter to the previous auditor (during the affected year for corrections on Medicare Reimbursement) to allow them to donate for the costs of making these corrections. Yannetti confirmed that this letter can be sent out. Council concurred.

PROPERTY/HIGHWAY COMMITTEE: Guise advised the council that there were two quotes received for the street sweeping for 2023. A quote was received by Pruitt Trucking and the Gettysburg Borough: (1) Pruitt - \$3,150 street cleaning and \$12/ton – 20 ton minimum per load plus materials - \$51.50/ton actual weight. (2) Gettysburg Borough – 16 hours x \$200/hour = \$3,200 (estimated # of hours) and final street clean up fee = \$100 for a Total of \$3,300.00.

A MOTION WAS MADE BY GUISE AND SECONDED BY GLIEM TO ACCEPT THE QUOTE FROM GETTYSBURG BOROUGH FOR THE STREET CLEANING IN THE AMOUNT OF \$3,300. MOTION CARRIED UNANIMOUSLY.

The office will set up the April date with Bollinger and Hays and Gettysburg Borough.

SAFETY COMMITTEE: Pantaleo discussed various items on the Police report. Also, Chief Hartley is in training all this week and that Officer David is in training in KY. Discussion on work shifts.

Chief Hartley requested a Samsung Galaxy tablet at \$99.00 which would replace the police cell phone. This would assist the Police Department with the use of the camera and videos.

Hartley announced: (1) Medicine Take Back will be held on April 22 at Biglerville Fire Hall from 10 a.m. until 2 p.m. (2) The second round of the PCCD grant award announcements will be done in March.

ORDINANCE COMMITTEE: Elnaggar reported on the animal ordinance, that she added definitions in the ordinance for pet owner/keeper. Bernie Yannetti will review the ordinance.

A MOTION WAS MADE BY ELNAGGAR AND SECONDED BY PANTALEO TO ADVERTISE THE ANIMAL ORDINANCE PENDING APPROVAL BY BERNIE YANNETTI. MOTION CARRIED UNANIMOUSLY.

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CODE ENFORCEMENT REPORT: Report attached. Discussion on 36 North Main Street and 15 Rice Avenue construction.

MAYOR: Mayor Phil Wagner reported that the ACBA meeting is March 20th at Dunlap's. He stated that the Jireh Church construction is underway, and they are making progress. He mentioned that they are waiting on windows for the project.

OLD BUSINESS: YATB Meeting – nothing to report.

NAREMA Deputy – nothing to report.

NEW BUSINESS: President Ecker announced to the council that the E-Recycle date is April 22nd at Franklin Township from 8 am to 10 am. President Ecker mentioned that he will volunteer for the event.

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

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COMPLAINTS

NAME	ADDRESS	NATURE OF COMPLAINT	DATE

NAME	ADDRESS	PERMIT	DATE APPLIED	DATE FILED
	35 Diane Lane	Occupancy		02/23/23
	18 Marie Lane	Occupancy		02/23/23

INVESTIGATIONS/INSPECTIONS

NAME	ADDRESS	REASON	DATE	OUTCOME
	63 Fourth St	Junk and debris 63 Fourth St notices for junk and debris Third Street notices for junk and debris and junk vehicles		Sent Notices to: 63 Fourth St Growers Property on Third St Guise Property on Third Street (See Notes)
	36 N Main St	Condemned building		(See Notes)
	301 E York St	Vacant Building Registering Violation		Filing citations
	142 W Hanover St	Vacant Building Registering Violation		Filing citations
	112 S Main St	Two Junk Vehicles	10/13	Sent notices
	112 S Main St	Junk mowers behind garage	10/13	Sent notices
	7/15 S Main Street	Request for new business.		Reviewed the new business. (See Notes)
	28 Diane Lane	Junk and debris on carport		Sent notices
	14 High Street	Barn in poor condition		Sending notice

SIDEWALKS

NAME	ADDRESS	DATE	OUTCOME
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VACANT PROPERTIES

NAME	ADDRESS	REASON	CITATION	DATE
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PAINT INSPECTIONS

NAME	ADDRESS	REASON	DATE	OUTCOME
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63 Fourth Street:

Note: By request, I met owner representative on site. Issued opinion on the cleanup.

#1 The Fourth Street property must be cleaned up entirely.

#2. The Third Street properties (both Growers and Guise property must be cleaned up of all junk and debris and junk vehicles.

#3. It is my opinion that both Third Street properties which are in the Industrial Zone would be permitted to use the properties for the barrel business and the equipment business with the tractor trailers as long as both properties were cleaned up off all junk and debris.

Industrial: Assembly, fabrication or compounding of products from previously processed materials.

As of this date there has been not progress from the notices sent 2/2/2023. Next step is to issue citations on each property and each vehicle.

36 North Main Street:

Note: Because of the ongoing situation at 36 N Main St., this situation has continued from the previous owner without any progress in fixing the existing dangerous building. Currently I filled one citation in December. I will file another citation for January and will fill citations every two weeks in February. And if continues, I will file weekly citations in March.

Met with owner and he has now lined up a contractor to demo the building. The contractor has contacted the boro and was given the requirements for the demo permit. As of right now I am holding off citations, but if there is no reasonable progress, I will issue the citations to include Jan. Feb. and March (one a week).

7/15 South Main Street:

Note: Reviewed latest plans and they have with drawing the seating, which would now not require additional parking space and or additional review.

Signed By:

**Wayne Smith
Zoning/Code Enforcement Officer**

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

40	COMPLAINTS OR SERVICE CALLS				22	TRAFFIC STOPS
25	TOTAL ARREST	19	TRAFFIC	6	CRIMINAL	
6	INVESTIGATIONS	6	WARNINGS	8	PSP HANDLED CALLS	
1031	TOTAL MILES TRAVELED			229.5	TOTAL HOURS WORKED	
159.5	Hartley	38	Cuffley	32	David	

COMPLAINTS / SERVICE CALLS	TRAFFIC ARREST	CRIMINAL ARREST
24 – Follow up calls	7 – Max Speed	1 - Borough ATV Ordinance
2 – Retail Theft	4 – Expired Inspection	1 – Retail theft
1 – Abandoned Vehicle	3 – Expired Registration	1 – Criminal Mischief
1 – Bomb Threat	1 – Suspended License	1 – Disorderly Conduct
1 – Disturbance	1 – Drivers Required to be licensed	1 – Tobacco in schools
1- Assault – Just occurred	1 – Restrictions on alcoholic beverage	1 – Possession of marijuana
1- Hit & Run	1 – Suspended Registration	
1 – Found Property	1 – Obedience to Traffic Control Devi	
1 – Fraud active		
1 – Harassment – Non active		
1 – House check		
1 - Information		
1 – Suspicious person		
1 – Utility Call		
1 – Welfare check		
1 – Tobacco violation		

TYPE OF INVESTIGATIONS:

1	Risking a Catastrophe – Bomb Threat
1	Terroristic threats
1	Tobacco in schools prohibited
1	Act 64 Drugs
2	Retail theft
1	Juvenile in Possession of a firearm

STATUS OF INVESTIGATIONS FEBRUARY 2022:

<u>0</u>	CLOSED UNSOLVED
<u>1</u>	UNFOUNDED
<u>2</u>	UNDER INVESTIGATION
<u>3</u>	CLEARED = Arrest, Closed in House, Victim Refused to Cooperate

STATUS OF INVESTIGATIONS YEAR TO DATE 2023

<u>0</u>	CLOSED UNSOLVED
<u>1</u>	UNFOUNDED
<u>2</u>	UNDER INVESTIGATION
<u>7</u>	CLEARED = Arrest, Closed in House, Victim Refused to Cooperate

REPORTING OFFICER: CHIEF Craig A. Hartley

A MOTION WAS MADE BY GUISE AND SECONDED BY PANTALEO TO PAY THE BILLS AND ADJOURN THE MEETING AT 9:02 P.M. MOTION CARRIED UNANIMOUSLY.

PLGIT/ACNB BANK STATEMENT RECONCILIATIONS:
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ACCOUNT TITLE:	GENERAL ACNB FUND with PLGIT	SEWER ACNB FUND with PLGIT	WATER ACNB FUND with PLGIT
BAL BRO FWD	\$93,981.58	\$87,608.42	\$57,187.35
RECEIPTS	\$80,915.36	\$65,660.69	\$58,506.85
SUB TOTALS	\$174,896.94	\$153,269.11	\$115,694.20
BILLS	\$76,104.16	\$45,215.01	\$24,687.28
TOTALS	\$98,792.78	\$108,054.10	\$91,006.92
PLGIT TRUST BALANCES	\$782,209.30	\$397,061.22	\$80,808.48
TITLE:	SPECIAL PLGIT HIGHWAY FUND	CAPITAL RESERVE PLGIT TRUST FUND	PUBLIC SAFETY POLICE PLGIT
BAL BRO FWD	\$73,644.92	\$227,613.14	\$243.51
RECEIPTS	\$259.53	\$826.52	\$.81
SUB TOTALS	\$73,904.45	\$228,439.66	\$ 244.32
BILLS	\$7,200.00	\$0	\$0
TOTAL TRUST	\$66,704.45	\$228,439.66	\$244.32
(ONLY PLGIT) ACCOUNT TITLE:	PAYROLL ACNB FUND (No PLGIT)	AUTHORITY ACNB FUND (No PLGIT)	AUTHORITY #2 STP PROJECT 2017- ACNB FUND (No PLGIT)
BAL BRO FWD	\$2,028.03	\$7,733.42	\$4,806.23
RECEIPTS	\$33,689.79	\$5,541.92	\$3,521.31
SUB TOTAL	\$35,717.82	\$13,275.34	\$8,327.54
BILLS	\$33,642.33	\$5,541.72	\$3,521.31
TOTALS	\$2,075.49	\$7,733.62	\$4,806.23
TOTAL TRUST	\$66,704.45	\$228,439.66	\$244.32
ACCOUNT TITLE:	AUTHORITY #3 ACNB FUND (No PLGIT)		
BAL BRO FWD	\$00.00		
RECEIPTS	0.00		
SUB TOTAL	\$00.00		
BILLS	\$0.00		
TOTALS	\$00.00		

Signed,

Sandra L. Vazquez
Secretary/Treasurer