

BOROUGH OF QUARRYVILLE – COUNCIL MINUTES

REGULAR MEETING – JULY 2, 2018

Borough Council held its Regular Meeting on the above date at 7:00 PM at the Municipal Building. Council President Joy Kemper called the meeting to order with the following persons present: Council Members Joy Kemper, Mike Sullenberger, Robert Kauffman, Tim Lawson, Rick Aument, and Diane Hastings. Mayor Joseph Bledsoe, Borough Manager/Secretary Ken Work, Maintenance Superintendent Bill Lamparter, and Police Chief Clark Bearinger were also present at the meeting.

PUBLIC COMMENT: Representatives from SECA addressed Council with a power point presentation of their current funding campaign. SECA is seeking a minimum of \$650,000.00 in pledges to fund repairs to their facilities to include the swimming pool. SECA asked Council to consider a pledge of \$10,000.00 over a five-year period, over and above the regular donation the Borough makes yearly to the organization. Council advised that they will begin budget talks at a meeting on 23 July and will consider the request.

PLANNING COMMISSION: Matt Rutt addressed Council representing Quarryville Industrial Properties and Leader Enterprises. Rutt requested Council give final approval for the Subdivision and Land Development Plan for Quarryville Industrial Properties, LLC, and Leader Enterprises, LLC, as prepared by Landcore Engineering Consultants, PC, project No. 170013. Attorney Josele Cleary addressed Council and advised that there were many items that were not complete or had not yet been submitted, but that she had prepared a series of five motions Council could make to approve the Plan conditioned on compliance with technical issues and compliance with certain listed conditions named in those motions. Attorney Cleary read the motions and stated that if Council was in agreement with the motions they could be entered and read into record.

Council President Kemper called for a motion to approve the Final Subdivision and Land development Plan for Quarryville Industrial Properties, LLC, and Leader Enterprises, LLC as prepared by Landcore Engineering Consultants, PC.

It was moved by Councilman Kauffman and seconded by Councilman Aument to approve the Final Subdivision and Land Development Plan for Quarryville Industrial Properties, LLC, and Leader Enterprises, LLC, prepared by Landcore Engineering Consultants, PC, Project No. 170013, conditioned on compliance with all technical issues in the review letters of the Borough Engineer dated May 14, 2018, and May 15, 2018, and further conditioned upon compliance with all of the following conditions subject to the following conditions:

1. Developers shall revise the Final Plan to require that all plan sheets shall be recorded.
2. Developers shall comply with all conditions granted on approval of the Preliminary Plan and requested waivers set forth in the motion adopted by Borough Council on April 2, 2018.

3. Developers shall present evidence that Developers have met all requirements of Quarryville Borough Authority and have posted any required financial security with Quarryville Borough Authority.

4. Developers shall provide plans and legal descriptions to the Authority for sewer and water easements shown on the Final Plan and/or required by the Authority and shall grant good and marketable title to any easements which the Authority desires to accept in a form acceptable to the Authority Solicitor.

5. Developers shall enter into a Storm Water Management Agreement and Declaration of Easement in a form acceptable to the Borough Solicitor, which Storm Water Management Agreement shall address the facilities to be installed within the right-of-way of Church Street and on the property of Deborah Wimer.

6. Developers shall present evidence that Developers have to right to install the facilities and improvements on the property of Deborah Wimer shown on the Final Plan which shall be satisfactory to the Borough Solicitor.

7. Developers shall execute the Agreement among Quarryville Industrial Properties, LLC, and Leader Enterprises, LLC, and Quarryville Borough Authority and the Borough to supersede prior agreements relating to water and sewer service to the subject property when it is in a form acceptable to the Borough Solicitor.

8. Developers shall execute the Grant of Easement and Agreement Concerning Private Street when it is in a form acceptable to the Borough Solicitor.

9. Developers shall execute a developer's letter-agreement identifying the improvements to be completed and the estimated completion dates prior to the release of the Final Plan for recording.

10. Prior to the release of the Final Plan for recording, Developers shall provide evidence that Eden Township has conditionally approved the Final Plan and Developers have complied with all conditions imposed by Eden Township other than the execution of the Final Plan by the Borough.

11. Prior to the release of the Final Plan for recording, Developers shall provide evidence of approval from the Lancaster County Conservation District for the erosion and sedimentation control plan.

12. Prior to the release of the Final Plan for recording, Developers shall prove compliance with all applicable federal and state permitting requirements including, but not limited to, an NPDES permit for the earth disturbance associated with the proposed improvements and highway occupancy permits for all work involving the Pennsylvania Department of Transportation right-of-way of North Church Street.

13. Developers shall furnish financial security of the type, and in the amount, required by the MPC prior to the release of the final plan for recording. The form of the financial security shall be acceptable to the Borough Solicitor.

14. Developers shall provide the Borough with a written acceptance of all Conditions on the granting of approval of the final plan within five (5) days of the date of the written decision of Council.

15. Developers shall reimburse the Borough and the Authority for all reasonable engineering and legal fees incurred in the review of plans under the Subdivision and Land Development Ordinance, Storm Water Management Ordinance, and other governing ordinances; review or preparation of documentation required in connection with the development; review and approval of financial security and other documentation; inspection of improvements; and for other costs as set forth in these Conditions within 30 days after receipt of an invoice for such fees. If Developers fail to pay such costs within 30 days after the date of a

written invoice for such costs, Developers shall be in violation of this Condition. The vote was taken and the motion to approve was passed unanimously.

Councilwoman Hastings offered a motion that the President or Vice President of Council and the Borough Secretary be authorized to execute the Storm Water Management Agreement and Declaration of Easement among Quarryville Industrial Properties, LLC, and Leader Enterprises, LLC, and the Borough upon receipt of the original Storm Water Management Agreement and Declaration of Easement in a form acceptable to the Solicitor executed on behalf of Quarryville Industrial Properties, LLC, and Leader Enterprises, LLC. Councilman Kauffman seconded the motion and the motion was approved unanimously.

Councilman Kauffman offered a motion that the President or Vice President of Council and the Borough Secretary be authorized to execute the Agreement among Quarryville Industrial Properties, LLC, and Leader Enterprises, LLC, and Quarryville Borough Authority and the Borough to supersede prior agreements relating to water and sewer service to the subject property upon receipt of the original Agreement in a form acceptable to the Solicitor executed on behalf of Quarryville Industrial Properties, LLC, and Leader Enterprises, LLC, and the Authority. Councilman Lawson seconded the motion and the motion to approve was passed unanimously.

Councilman Lawson offered a motion that the President or Vice President of Council and the Borough Secretary be authorized to execute the Grant of Easement and Agreement Concerning Private Street among Quarryville Industrial Properties, LLC, and Leader Enterprises, LLC, and Eden Township and the Borough upon receipt of the original Agreement in a form acceptable to the Solicitor executed on behalf of Quarryville Industrial Properties, LLC, and Leader Enterprises, LLC. Councilwoman Hastings seconded the motion and the motion was passed unanimously.

Councilman Aument offered a motion to authorize the President or Vice President of Council and the Borough Secretary to execute the Final Subdivision and Land Development Plans for Quarryville Industrial Properties, LLC and Leader Enterprises, LLC and release it for recording upon completion of all of the following:

1. Satisfaction of all conditions imposed upon approval of the Final Subdivision and Land Development Plans for Quarryville Industrial Properties, LLC and Leader Enterprises, LLC.
2. Posting of financial security in a form acceptable to the Borough Solicitor in an amount acceptable to the Borough Manager and Borough Engineer.
3. Execution and recording of the Storm Water Management Agreement and Declaration of Easement among Quarryville Industrial Properties, LLC and Leader Enterprises, LLC and the Borough.
4. Execution and recording of the Agreement among Quarryville Industrial Properties, LLC, and Leader Enterprises, LLC, and Quarryville Borough Authority and the Borough to supersede prior agreements relating to water and sewer service to the subject property.
5. Execution and recording of the Grant of Easement and Agreement Concerning Private Street among Quarryville Industrial Properties, LLC, and Leader Enterprises, LLC, and Eden Township and the Borough.

6. Submission of executed Developer's Agreement in a form acceptable to the Borough Solicitor.

7. Reimbursement of the Borough for any outstanding engineering and attorneys' fees relating to the Final Plan.

8. Reimbursement of the Authority for any outstanding engineering and attorneys' fees relating to the Final Plan. Councilman Sullenberger seconded the motion and the motion was unanimously approved.

APPROVAL OF MINUTES – REGULAR MEETING – JUNE 4, 2018: Council reviewed the minutes from the June 4, 2018 Regular Meeting. After a discussion, it was moved by Councilman Kauffman and seconded by Councilwoman Hastings that the minutes of the June 4, 2018 Regular Meeting be approved and the motion was unanimously approved.

BOROUGH MANAGER'S REPORT:

The Manager reported that he has been soliciting quotes for property/vehicle insurance and also worker's comp insurance. The current policies expire on 15 July 2018. For property/vehicle insurance the borough received a quote from McGowan Insurance based in Ohio. The quote was for \$21,841.00. The next lowest quote came from Murray Insurance with Glatfelter Insurance Company at \$28,568.00. There was some concern that the quote from McGowan came in so low that it was possible something was missed on that quote. In addition, Murray was able to quote for worker's comp insurance through Ameritrust and was able to combine the Borough along with the Fire Department. That quote came in at \$56,463.00, a savings of \$2,514.00 over the current policies. After discussion, Councilman Lawson made a motion to renew our property/vehicle insurance and the workman's comp insurance through Murray Insurance Agency with Glatfelter Insurance and Ameritrust for 2018. Councilman Aument seconded that motion and the motion was approved.

The Manager also advised that he was also soliciting quotes for Health Insurance for 2018 and that those would be reviewed at a later date.

FINANCIAL REPORT AND MONTHLY BILLS – June 30, 2018: Council received the financial report and bills for June 2018. It was moved by Councilwoman Hastings and seconded by Councilman Kauffman that the financial report be received and the monthly bills for June in the amount of \$95,049.18 be approved and the motion was unanimously approved.

POLICE DEPARTMENT REPORT: Chief Bearinger reviewed the Police Report noting the arrests and calls for service. The Chief noted that there was a slight increase in alarm calls for the month. In addition, there were two sexual assault investigations involving juvenile victims. One case is pending review by the District Attorney's Office and the second resulted in a total of 15 felony charges. The Chief and Officer Dilworth both attended training sessions during the month.

ZONING OFFICER REPORT: With no discussion, Council accepted the Zoning Officer report for June 2018 as submitted.

QUARRYVILLE BOROUGH AUTHORITY: Maintenance Superintendent Bill Lamparter reported that the Authority is working with developers including projects with Creekside, Martin's Appliance, Elam Esh, and Quarryville Industrial Properties. The Authority has a meeting scheduled with PA American Water for 17 July, the next scheduled Authority meeting. PA American wants to discuss their water line running into the Borough and future plans. The Authority continues to work on the new water rate study. Quarryville Presbyterian Retirement Center has approached the Authority about approval of a modification of tax exempt bond that the Authority first approved in 2013. The Authority will take action on the request at the July 17th meeting.

STREETS/INFRASTRUCTURE/PARKS: Committee Chairman Rick Aument advised Council that Sandy Tucker with the Solanco School District had attended the committee meeting to request a change in the parking restrictions on Hess Street in front of the Elementary School. Several classes of special needs children will be transferred to Quarryville Elementary School from Providence Elementary School. The committee recommends that Council expand the bus loading zone as per the district's request. By consensus, Council agreed to move forward with the request. The Committee will look into how the area should be posted and prepare the changes for the ordinance to be presented to Council. The Committee also looked at the Residential Rental Ordinance that had been presented to Council as a draft and recommends moving forwards with that ordinance with one minor change in wording.

Councilman Kauffman questioned why some sidewalks in the Borough were allowed to be in poor shape when it appeared that there was an ordinance on the books requiring homeowners to maintain those sidewalks. There was a short discussion on sidewalks and the ordinances governing the construction and maintenance of sidewalks in the Borough.

OLD BUSINESS: Councilman Sullenberger questioned whether the budget included money to resurface the floor in the police department. That money had not been budgeted in the 2018 budget and will be considered in the 2019 budget process.

NEW BUSINESS: None.

ADJOURNMENT: At 8:20 PM, Council President Kemper called for a motion to adjourn. Councilman Lawson offered that motion, seconded by Councilman Kauffman, and the motion passed unanimously.

Respectfully submitted,

Kenneth C. Work
Borough Manager/Secretary