

ABBOTTSTOWN BOROUGH COUNCIL SPECIAL MEETING  
MINUTES  
May 31, 2006

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**CALL TO ORDER**

Abbottstown Borough Council special meeting was called to order at 7:02 p.m. by President Samiah Slusser. Other members present were, Becky Fengfish, Debbie Shearer, Dale Reichert, and David Shuff. Mayor Charles Stonesifer was absent. Others present were: Warren Moore, Borough Manager/Zoning Officer and Toni Fenker, Secretary Treasurer.

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**Deleted:** Steve Sauter

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**Deleted:** Samiah Slusser

**Deleted:** Sharon Myers, Borough Solicitor;

**VISITORS**

Present were; Perry Shearer, Mike Haugh, John Runge, Mike and Lynn Miller, John Stambaugh, Richard and Gail Robertson, Robert Myers, Patricia Sorenson and Sandy Myers, Ed Strevig of the Middle Department Inspection Agency was in attendance at the request of the Borough Zoning Officer Also present was Melody Asper, Evening Sun Reporter. Arriving later in the meeting was Vera Culver and friend.

**Deleted:** Patricia Sutherland, Pat Markosian,

**Deleted:** Craig and Faith Peterson and

**Deleted:** several other residents/interested parties unknown to the Secretary.

**Deleted:** Sean Hilliard

**INTRODUCTIONS**

Samiah Slusser explained the purpose and agenda for the meeting and requested that the council members, borough employees and visitors introduce themselves. All of the visitors other than Mr. Strevig and Ms. Asper were landlords or representatives of landlords for rental properties in the Borough. Sami indicated to the visitors that council would hear public comment at the beginning of the meeting and would reopen for comment as appropriate during the evening.

**PUBLIC COMMENT/CONCERNS AND QUESTIONS**

Richard Robinson indicated that he and his wife were owners and occupants of 125 E. King St and 121 E King Street, renting to 6 adults and 2 children. He expressed concern that Council did not understand the difficulty of building code compliance with the older houses. He indicated that in his homes the beams were 6 inches thick and interconnecting smoke alarms would be a problem.

Patricia Sorenson, who owns the rental property next to McDonalds consisting of 1 office and 2 residences(all currently leased to one business entity), asked whether the proposed ordinance had already been voted on and whether Mr. Moore would be performing the inspections. She was told no on both counts. She indicated that she understood there had been very few complaints concerning the safety in borough rental properties.

John Runge, who owns 12 rental units within the borough, is concerned with the potential costs of repairs and inspections the ordinance will generate and how the low income renters will ultimately bear the cost. He believes that there are already other government entities enforcing the same safety standards and he mentioned Labor and Industry.

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**APPROVAL OF MINUTES**¶  
Mrs. Shearer stated that the secretary had listed the wrong names in the minutes from the prior meeting of the citizens making statements about snow removal outside the Borough lines. She also stated that Steve did not open the floor for nominations for a replacement for Council Member Peter Hobbs who resigned during the prior meeting and insisted that the statement was inaccurate and should be removed from the minutes. The Secretary indicated that she disagreed, that the statement was accurate.

**Deleted:** Dale moved to approve the minutes of the previous regular meeting February 16, 2006 with the corrections regarding the visitor's names but with the statement regarding the nomination unchanged. Second by Becky. Four votes were made in the affirmative and Mrs. Shearer voted against the approval and the motion was carried by the majority.¶

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Robert Miller who is on the property committee of St. Johns questioned what standards would be in the ordinance and was told that it had not been decided as yet. He wondered why the borough should be considering ensuring that rental properties were safer than other properties.

Mike Miller believes in the principal of safety but was also concerned with costs. He wondered if council was considering both inside and outside structure safety issues and clutter. It was explained to him that there are already ordinances on the books covering outside debris.

Mike Haugh who owns the Altland House as well as 3 homes next door believes that the town needs this type of ordinance and commended the Council for what they were attempting to do. He stated that he lives right next door to the worst rental property in the borough.

Sandy Myers asked if the Council would consider exempting certified HUD rentals due to the fact that they were already subject to very stringent safety inspections. She was told that the council would consider this. She believes that tenant complaints should be the only trigger for inspections.

John Stambaugh who oversees several rental properties owned by a family member expressed his opinion that the ordinance should cover all properties in the borough.

Vera Culver who owns the property at 105 E King Street questioned the origin of the proposed ordinance and was told that it was considered after safety complaints and incidents involving the fire department.

VISITOR PRESENTATION

Ed Strevig, Inspector for the Middle Department Inspection Agency (MDIA) explained the nature of inspections he performs in accordance with East Berlin Borough's ordinance and answered public and Council questions regarding same. He explained that the inspections are performed for all residences, not just rentals, when anyone moves in. Safety issues are what are addressed including fire extinguisher, interconnected and hard wired smoke detectors on every floor (unless structurally impossible) and bedroom, broken glass, handrails, loose boards, electrical panel boxes with 100 amp service, no bare wires. He stated that Council could consider in their own ordinance alternatives to hard wired interconnected detectors (\$12.00 each) such as 10 year lithium batteries or radio activated models (\$50.00 each). East Berlin does not require CO2 detectors but the borough could.

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APPROVAL OF DISBURSEMENTS

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Deleted: Becky moved to approve disbursements for the following amounts for the period: General Fund Checking \$22,136.80; General Fund Payroll \$13707.94; Liquid Fuels \$528.40; Water Authority \$10,360.05 Second by Sam. Mrs. Shearer indicated she had a question regarding the disbursements which was not entertained due to the motion and second already having taken place. Four votes were made in the affirmative, Mrs. Shearer voted against the appro

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The cost for inspections in East Berlin is \$55.00 with no re-inspection fee and he gives owners 30 to 60 days to make repairs, all of which can be performed by the owner. He stated that he did not issue the use and occupancy permits, East Berlin did.

Dale indicated that grants were available through FEMA to issue smoke detectors and extinguishers to borough residences. The grant would have to be applied for through the fire department.

COUNCIL DISCUSSION

After a brief break, Sami indicated that members needed to consider whether they wanted to regulate all dwellings or just rentals; residential only or commercial also; issuance of u and o's and posting of same; a timeline for when the ordinance would be effective and when the inspections would take place; length of time to effect repairs; fees; and enforcement.

The consensus of Council was to potentially regulate only rental units at first and possibly expand later with the intent to protect those who could not protect themselves. There was concern over increased rents for low income tenants as a result of the ordinance and the potential for the borough to become a complaint department. Dale suggested and everyone agreed that Council needed to have an opportunity to review some sample ordinances and check into the issues and revisit their intent to have an ordinance at the next regularly scheduled meeting.

ADJOURNMENT

There being no further business, David moved for Adjournment at 9:20 PM.  
Second by Becky and carried.

Respectfully submitted,

Toni Fenker  
Secretary Treasurer

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¶ No visitors indicated any concerns.¶

¶ ADJOURNMENT¶

¶ The meeting was adjourned at 7:09 for the Water Authority meeting.¶

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¶ MEETING RECONVENED AT 7:27 PM¶

¶ CORRESPONDENCE ¶

¶ Council reviewed the various pieces of correspondence listed in the agenda and noted that the Borough Auditors found no exceptions in the Year End Audit and that they approved the use of the ball field at the Recreation Park by the Eastern Adams Little League scheduled to begin March 18, 2006.¶

¶ POLICE COMMITTEE PRESENTATION¶

¶ Sami reported on the various alternatives available for police coverage and presented Council with a chart detailing three (3) of the alternatives (attached and made part of these official minutes). Council discussed the possible offset of first year costs with Eastern Adams for equipment sales related to the dissolution, agreeing that was a separate issue and should not be a consideration in the decision. Council and residents weighed in on the ... [1]

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Steve asked what the wishes of Council were, did they want to sit on it for another month before making a decision? Members agreed they had sufficient information to make a decision. Steve pointed out that Eastern Adams jurisdiction surrounds Abbottstown and their vehicles are seen in the Borough more often than our own. Steve invited a motion. Mrs. Shearer made a motion to send a letter to Eastern

**Adams indicating the Borough's desire to contract for services. Second by Becky and carried. Steve thanked the committee members for their hard work.**

#### **NEW BUSINESS**

**Steve invited a motion to appoint a new Borough Council Vice President. Mrs. Shearer nominated Sami. Second by Becky and carried.**

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#### **INFORMATION FROM PLANNING**

**Becky indicated that there was nothing to report due to no meeting being held this month.**

**Steve reported that the Secretary was still working on recommended planning and zoning fees, procedures revisions and new applications.**

#### **OLD BUSINESS**

**Steve informed everyone that the regulation of rental units has been tabled indefinitely due to other pressing issues at this time and reminded everyone of the schedule for clean up days. The Secretary informed everyone that one mattress and box-spring were permitted per household. Mr. Peterson questioned whether car batteries were permitted and was informed they were not.**

#### **BOROUGH MANAGER/ZONING OFFICER REPORT**

**Mr. Moore provided Council with a written report (attached and made part of these official minutes) which he reported upon verbally. He recommended a change in the Borough ordinance requiring permits from \$1000 to \$2500.00 to be in-line with the new requirement of Adams County. He indicated he wanted to do additional research prior to preparing a resolution since some under \$1000.00 improvements would require permits and inspection.**

#### **SOLICITORS REPORT**

**Sharon's report is attached and made part of these official minutes. She explained to Council that an ordinance would be required for the Borough to sell the Water Authority assets. Dale made a motion to have her advertise the ordinance. Second by Sami and carried.**

## **POLICE REPORT**

**The mayor passed out the police reports and gave a brief synopsis of the status of the open cases and evidence disposition following the department disbandment. He responded to a citizen's question that the police files had to be separated between the two jurisdictions.**

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