

*Leo S. Lutz, Mayor*  
*Sandra L. Duncan, Council President*

*Robert L. Pfannebecker, Solicitor*  
*Norman B. Meiskey, III, Borough Manager*

**FINAL AGENDA**  
**COLUMBIA BOROUGH COUNCIL MEETING**  
**September 14, 2009**  
**7:00 P.M.**

- I. Opening of Meeting
  - 1. Call to Order and Roll Call
  - 2. Invocation/Moment of Silence
  - 3. Pledge to the Flag: Mayor Leo S. Lutz
  - 4. Announcement of Executive Sessions
    - a. An executive session was held on September 14, 2009 at 6:00pm to discuss legal and personnel matters.
    - b. An executive session was held on September 10, 2009 at 7:05pm to discuss legal and personnel matters.
    - c. A Personnel Committee Meeting was held on August 15, 2009 at 6:30pm.
  - 5. Citizen Comments
  - 6. Minutes for Approval
    - a. Consider approval of the Regular Borough Council Meeting Minutes for 8/10/09.
    - b. Consider approval of the Special Borough Council Meeting Minutes for 8/19/09.
    - c. Consider approval of the Special Borough Council Meeting Minutes for 9/01/09.
    - d. Consider approval of the Special Borough Council Meeting Minutes for 9/10/09.
  - 7. Mayor Lutz
  - 8. Historical Architectural Review Board (HARB)
    - a. Consider recommendation of denial of Certificate of Appropriateness for demolition of Colonial Metals building at 435 N. 2<sup>nd</sup> Street.
    - b. Consider recommendation of denial of Certificate of Appropriateness for windows replacement at Todd Kramer's Property at 137-141 Locust Street.
  - 9. Consent Agenda For Approval
    - a. July 2009 Check Register Report, Treasurer's Report, Tax Collector's Report and Budget Performance Reports: General Fund, Capital Fund, State Fund (Liquid Fuels), Waste Water Fund, and Municipal Authority Capital Fund.
    - b. August 2009 Check Register Report, Treasurer's Report and Budget Performance Reports: General Fund, Capital Fund, State Fund (Liquid Fuels), Waste Water Fund, and Municipal Authority Capital Fund.
- II. Standing Committee Assignments
  - 10. The Committee on Finance
    - a. Consider approval of Budget Change #6
  - 11. The Committee on Highway
  - 12. The Committee on Public Safety

13. The Committee on Public Property
  - a. Consider approval to allow non-profit/charitable organization to piggy back on the Borough's surveillance system with the organization to pay the cost of equipment, possible upgrades to system and a yearly maintenance fee.
14. The Committee on Personnel
15. The Committee on Municipal Legislation
16. The Committee on Market
  - a. Consider approval of a Facilities Use Request for PARA to host a Paranormal seminar at the Market House on September 19, 2009 from 7pm till midnight.
  - b. Consider authorizing the Borough Manager to prepare a resolution to set the fees for stand-holder rentals.
17. The Committee on Community Development
18. The Committee on Wastewater
- III. Reports of Boards, Commissions, Authority, Solicitor, and Secretary/Treasurer
19. Solicitor
20. Secretary/ Treasurer
  - a. Consider removing from the table the agreement with the Commonwealth of Pennsylvania for the Phase I Ashley & Bailey Silk Mill Renovation Project using RACP Grant funds.
  - b. Consider approving the agreement with the Commonwealth of Pennsylvania for the Phase I Ashley & Bailey Silk Mill Renovation Project using RACP Grant funds.
  - c. Consider approving 90 day agreement with CEDC for the sale of the Borough's 3rd and Linden Street Property.
  - d. Consider approval of Borough of Columbia non-uniform 2010 Minimum Municipal Obligation Contribution in the amount of \$84,764.00.
  - e. Consider approval of Borough of Columbia Police pension 2010 Minimum Municipal Obligation Contribution in the amount of \$124,869.00.
  - f. Consider authorization to send unpaid Municipal Liens for 27 S. 2<sup>nd</sup> Street and 1007 Cloverton Drive to the Solicitor for sheriff sale.
21. Boards/Commissions/Authority
- IV. Reports from Council Members
- V. Adjournment

**Columbia Borough Council Meeting  
September 14, 2009 at 7:00pm  
Paul W. Myers Council Chambers**

Council President Duncan called the meeting to order at 7:03pm.

Councilpersons present were: Barninger, Beckley, Beury, Detz, Duncan, Murphy and Wickenheiser. Mayor Lutz was also present.

Fred Thomas of the Columbia Ministerial prayed.

Mayor Lutz led the Pledge to the Flag.

Motion: To add item 20g - Facilities Use Request for CDDC to hold a Haunted Lantern Tour.  
Motion: Wickenheiser 2<sup>nd</sup>: Barninger Voice Vote: All Favored

Motion: To move agenda items 20a, 20b and 20c directly after agenda item 8b.  
Motion: Wickenheiser 2<sup>nd</sup>: Beury Voice Vote: All Favored

**Executive Sessions:**

**Council President Duncan announced that the following Executive Sessions were held:**

- a. An executive session was held on September 14, 2009 at 6:00pm to discuss legal and personnel matters.
- b. An executive session was held on September 10, 2009 at 7:05pm to discuss legal and personnel matters.
- c. A Personnel Committee Meeting was held on August 15, 2009 at 6:30pm

**Citizen comments:** – see attachment.

**Minutes for Approval:**

Motion: To approve the Regular Borough Council Meeting Minutes for 8/10/09  
Motion: Barninger 2<sup>nd</sup>: Wickenheiser Voice Vote: All Favored

Motion: To approve the Special Borough Council Meeting Minutes for 8/19/09  
Motion: Barninger 2<sup>nd</sup>: Wickenheiser Voice Vote: All Favored

Motion: To approve the Special Borough Council Meeting Minutes for 9/1/09  
Motion: Barninger 2<sup>nd</sup>: Wickenheiser Voice Vote: All Favored

Motion: To approve the Special Borough Council Meeting Minutes for 9/10/09  
Motion: Barninger 2<sup>nd</sup>: Wickenheiser Voice Vote: All Favored

**Mayor Lutz:**

Mayor Lutz noted that there is a new web based travel site for small towns. There have been several videos made of Columbia Borough. The web site is [www.pennsylvania1.myamericanlifestyle.net/index.html](http://www.pennsylvania1.myamericanlifestyle.net/index.html)

Mayor Lutz mentioned that there has been an increase in the number of disruptive conduct reports. He has developed a spreadsheet to help keep track of them.

Mayor Lutz praised Habitat for Humanity for the great job they did in re-building the two fire homes on Perry Street. He noted that the homes were dedicated this past Saturday. Mayor Lutz mentioned that another house, on Manor Street, will be donated to Habitat for Humanity.

Mayor Lutz discussed the environmental studies that were done at the 3<sup>rd</sup> and Linden Street properties. He mentioned that the initial reports noted that some areas could not be sampled because of the debris and that the additional testing done later was part of the due diligence process.

**Historical Architectural Review Board (HARB) Business:**

Motion: To recommend denial of a Certificate of Appropriateness for demolition of the Colonial Metals Building, Water Tower and Pump House at 435 N. 2<sup>nd</sup> Street.  
Motion: Detz 2<sup>nd</sup>: Beckley Roll Call Vote: Motion defeated 5-2  
Beury, Barninger, Murphy, Wickenheiser and Duncan voted NO.  
Detz and Beckley voted YES.

There was discussion suggesting that Council should not vote against HARB. There was also discussion regarding how the building could be used if the denial were to be upheld. Some Council members discussed their personal feelings regarding the buildings historical significance.

Suzanne Stallings asked that the building remain in its present state for several more months while the owner thinks of possible alternatives to demolishing it.

Councilwoman Wickenheiser recommended that any part of the building that is salvageable be saved.

Motion: To authorize the issuance of a Certificate of Appropriateness for the Demolition of the Building, Water Tower and Pump House at 435 N. 2<sup>nd</sup> Street.  
Motion: Wickenheiser 2<sup>nd</sup>: Beury Roll Call Vote: Motion Carried 5-2  
Detz and Beckley voted NO.  
Barninger, Murphy, Wickenheiser, Beury and Duncan voted YES.

Motion: To deny a Certificate of Appropriateness for window replacements at Todd Kramer's Property at 137-141 Locust Street.  
Motion: Detz 2<sup>nd</sup>: Wickenheiser  
Roll Call Vote: Motion Carried Unanimously with all Council members voting YES.

Motion: To require that the windows( at 137-141 Locust Street), that have already been replaced, be returned to their original state.  
Motion: Beckley 2<sup>nd</sup>: Murphy  
Motion Withdrawn by Beckley prior to voice vote

There was discussion regarding the owner of 137-141 Locust Street trying to circumvent the system by beginning to replace windows without proper approvals. Mayor Lutz noted that the new windows not only change the look of the building but the entire streetscape as well.

Motion: To require that the windows that have already been replaced (at 137-141 Locust Street) be returned to their original state.  
Motion: Beckley 2<sup>nd</sup>: Detz  
Roll Call Vote: Motion Carried Unanimously with all Council members voting YES.

**SECRETARY/TREASURER**

Motion: To remove from the table the agreement with the Commonwealth of Pennsylvania for the Phase I Ashley & Bailey Silk Mill Renovation Project using RACP Grant funds.  
Motion: Wickenheiser 2<sup>nd</sup>: Beury Roll Call Vote: Motion Carried 6-1

Detz voted NO.  
Wickenheiser, Beckley, Beury, Barninger, Murphy and Duncan Voted YES

Motion: Consider approving the agreement with the Commonwealth of Pennsylvania for the Phase I Ashley & Bailey Silk Mill Renovation Project using RACP Grant funds upon final review and approval of the Solicitor and Borough Manager.  
Motion: Wickenheiser 2<sup>nd</sup>: Beury  
Roll Call Vote: Motion Carried Unanimously with all Council Members voting YES.

There was discussion regarding the details of the contract. Borough Manager Meiskey noted that expenses would be reimbursed with proof of payment. There was also discussion regarding the amount of grant money vs. the amount of matching dollars to be paid by the Borough. Councilman Detz asked if the Borough is done spending money at the site at this time. Borough Manager Meiskey estimated that another \$250,000 to \$300,000 will be spent to better support the building and that he is currently searching for resources to cover these costs.

Motion: To approve a 90 day agreement with CEDC for the sale of the Borough's 3<sup>rd</sup> and Linden Street property.  
Motion: Wickenheiser 2<sup>nd</sup>: Beury Roll Call Vote: Motion Carried 5-2  
Detz and Beckley voted NO.  
Barninger, Murphy, Wickenheiser, Beckley and Duncan voted YES.

Mayor Lutz discussed the benefits to the Borough if the Turkey Hill Project and the John DeVitry Project come to fruition. He noted that there would be over \$392,000 in tax dollars between the Borough and the School District per year after the fifth year. The Mayor also stated that there is a possibility of 40 or more jobs created between the two projects.

### **CONSENT AGENDA**

Motion: Consider approval of consent agenda items including:

- a. July 2009 Check Register Report, Treasurer's Report, Tax Collector's Report and Budget Performance Reports: General Fund, Capital Fund, State Fund (Liquid Fuels), Waste Water Fund, and Municipal Authority Capital Fund.
- b. August 2009 Check Register Report, Treasurer's Report and Budget Performance Reports: General Fund, Capital Fund, State Fund (Liquid Fuels), Waste Water Fund, and Municipal Authority Capital Fund.  
Motion: Wickenheiser 2<sup>nd</sup>: Murphy Voice Vote: All Favored

### **REPORT OF STANDING COMMITTEES**

#### **COMMITTEE ON FINANCE:**

Motion: To approve Budget Change #6.  
Motion: Murphy 2<sup>nd</sup>: Wickenheiser Voice Vote: Favored 6-1  
Councilman Detz opposed.

Next meeting is on October 14, 2009 at 6:30p.m.

#### **THE COMMITTEE ON HIGHWAY:** No Action Items.

Councilman Beury thanked the Highway Department for a job well done with paving this summer.

Next meeting is September 28, 2009 at 6:00p.m.

**COMMITTEE ON PUBLIC SAFETY:** No Action Items.

Next meeting is on October 7, 2009 at 6:30 p.m.

**COMMITTEE ON PUBLIC PROPERTY:**

**Motion:** To allow non-profit/charitable organizations to piggy back on the Borough's surveillance system with the organization to pay the cost of equipment, possible upgrades to system and a yearly maintenance fee.  
**Motion:** Wickenheiser                      2nd: Beury                      Voice Vote: All Favored

Councilwoman Wickenheiser noted that River Park will be closed beginning September 21, 2009 for the construction period.

Next meeting is October 6, 2009 at 7:30 p.m.

**COMMITTEE ON PERSONNEL:** No Action Items

Next Meeting is on September 16, 2009 at 6:30 p.m.

**COMMITTEE ON MUNICIPAL LEGISLATION:** No Action Items

Councilman Beury noted that there will be a special Landlord meeting at Susquehanna Fire Company on September 29, 2009 at 7:00pm

Next Meeting is on October 6, 2009 at 6:00 p.m.

**COMMITTEE ON MARKET:**

**Motion:** To approve a Facilities Use Request for PARA to host a Paranormal seminar at the Market House on September 19, 2009 from 7pm till midnight.  
**Motion:** Beckley                      2<sup>nd</sup>: Wickenheiser                      Voice Vote: All Favored

**Motion:** To authorize the Borough Manager to prepare a resolution to set the fees for stand-holder rentals.  
**Motion:** Beckley                      2<sup>nd</sup>: Wickenheiser                      Voice Vote: All Favored

Next Meeting is on September 22, 2009 at 6:00 p.m.

**COMMITTEE ON COMMUNITY DEVELOPMENT:** No Action Items

Next Meeting is on September 22, 2009 at 7:00 p.m.

**COMMITTEE ON WASTEWATER:** No Action Items.

Next meeting is on September 17, 2009 at 4:30 p.m.

**SOLICITOR:** No Action Items.

**SECRETARY/TREASURER:**

- Motion:** To approve the Borough of Columbia non-uniform 2010 Minimum Municipal Obligation Contribution in the amount of \$84,764.00.  
Motion: Wickenheiser 2<sup>nd</sup>: Barninger Voice Vote: All Favored
- Motion:** To approve the Borough of Columbia Police Pension 2010 Minimum Municipal Obligation Contribution in the amount of \$124,869.00.  
Motion: Wickenheiser 2<sup>nd</sup>: Barninger Voice Vote: All Favored
- Motion:** To authorize to send unpaid Municipal Liens for 27 S. 2<sup>nd</sup> Street and 1007 Cloverton Drive to the Solicitor for sheriff sale.  
Motion: Detz 2<sup>nd</sup>: Beury Voice Vote: All Favored
- Motion:** To approve a Facilities Use Request for CDDC to host a Haunted Lantern Tour at the Market House on October 21, 23, 24, 30 and 31 from 6:00pm-12:00am.  
Motion: Barninger 2<sup>nd</sup>: Wickenheiser Voice Vote: All Favored

Borough Manager Meiskey announced that the Borough received a Certificate of Thanks from the Church of God.

**Boards/Commissions/Authority:** No action items.

**Council Members:**

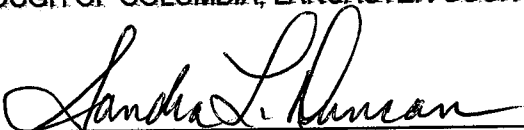
Councilwoman Wickenheiser noted that on Thursday September 17, 2009 is the anniversary of the Market House and that there will be an open house from 3pm-6pm.

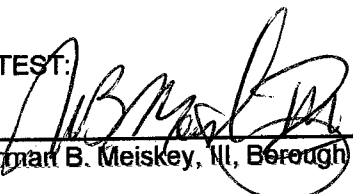
Councilman Beury noted that he has a donation check in the amount of \$375.00 for the K-9 Unit.

**Adjournment:**

**Motion:** To Adjourn the meeting. Meeting was adjourned at 10:07 pm.  
Motion: Wickenheiser 2<sup>nd</sup>: Barninger Voice Vote: All Favored

MOTIONED AND APPROVED this 12th day of October 2009, by the Borough Council of the Borough of Columbia, Lancaster County, Pennsylvania, in lawful session duly assembled.  
BOROUGH OF COLUMBIA, LANCASTER COUNTY, PENNSYLVANIA.

By:   
Sandra L. Duncan, President Council

ATTEST:   
Norman B. Meiskey, III, Borough Secretary

## Columbia Borough Council Meeting

Name & Address	Citizen Comments 9/14/09	Requested Action
John Neidig - 1011 Locust Street	Expressed disappointment that Council was ready to vote on something w/out having all of the facts. He was speaking specifically about grant information and requested resignation of several Council members	
Tim Swartz - 46 S. 8th Street	Asked if the Borough Council follows Robert's Rules?	Sandy Duncan said yes. Mary Wickenheiser said that Council does but that committees do not
	Asked why an item denied at a Finance Meeting was put on the Council Agenda.	Council members noted that a Council person has the right to add any item to the Council Agend regardless of the committees position
	Expressed disappointment that Council was ready to vote on something w/out full knowledge of all the facts. Suggested that Council members make sure they know what they are voting on.	Sandy Duncan explained that some Council Members work at other jobs full-time and that everyone is working very hard to stay informed
Ron Fritz - 568 Franklin Street	Expressed concern regarding the fire departements in Columbia and Rob Brady's plan for regionalization. He asked that the Borough follow through with fire departments to make sure they are considering following the regionalization plan and not waste time and/or money trying to consolidate the fire department on their own.	Sandy Duncan explained that the Borough is on a fact finding mission at this point and is not ready to committ currently. Mary Barninger mentioned that Rob Brady offered to provide the other models for regionalization a while back but the Borough has not yet received them. Sandy Duncan asked Mary Barninger to take this issue to the next Safety Cte. Mtg. so that parameters can be given to the fire departments.



Frank Doutrich - 1001 Ironville Pk	Commented on Tim Swarts earlier comments.	
	Thanked the Borough for doing a good job.	
	Asked if all of the recent Special Borough Council Meetings were necessary since they were so close to the date of the Regular Council Meeting	Borough Council and Borough Manager responded saying that all meetings were necessary when they were scheduled because of timelines
	Asked if Colonial Metals wanted to demolish just the building? Also asked if the building as it exists would be in the way of the Rt. 30 Truck Route?	Council Members noted that the demolition will include the building, water tower and pump house. The building is not in the way of the Rt. 30 Truck Route.
	Suggested that if Council Votes against the decisions of HARB that the HARB Board is not necessary.	
	Asked where the check for \$95,000 for the 3rd and Linden Street property is currently	Norm Meiskey said that the check is in his possession.
	Asked for clarification regarding matching dollar information for the pending sale of Borough owned 3rd and Linden Street property?	Borough Manager, Norm Meiskey, explained.
John DeVitry - 106 S. Jefferson St, Lancaster, PA	Plans to renovate 401 Locust Street into a 20 room hotel. Expressed support of the Turkey Hill Experience Project.	
Shirley McBride - 219 Perry Street	Asked about any plans the Borough has to create a skateboard park.	Sandy Duncan explained that the Borough would love to have a skateboard park for the children but that the issue is location.
	Discussed motor scooters. She asked if they are allowed to be on streets and sidewalks.	Mayor Lutz answered saying that these scooters cannot be licensed and are not allowed on streets.