



*Leo S. Lutz, Mayor*  
*Kelly Murphy, Borough Council President*

*Robert L. Pfannebecker, Solicitor*  
*Rebecca S. Denlinger, Borough Manager*

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**FINAL AGENDA**  
**COLUMBIA BOROUGH COUNCIL MEETING**  
**August 13, 2018**  
**7:00P.M.**

**I. Opening of Meeting**

1. Call to Order and Roll Call
2. Invocation/Moment of Silence
3. Pledge to the Flag
4. Announcement of Executive and Information Session(s)
  - a. On July 23, 2018 at 5:00 PM Council held an executive session for the purpose of discussing a property acquisition from the McGinness Trust.
  - b. On August 13, 2018 at 6:00pm Council held an executive session for the purpose of discussing a property acquisition from the McGinness Trust.
  - c. On August 13, 2018 at 6:00pm Council held an information session to receive information only items from its Borough Manager and Solicitor.
5. Presentation: Environmental Protection Agency on the Wastewater Treatment Plant Declaration of Environmental Covenants
6. Citizen Comments (Agenda Items Only)
7. Minutes for Approval
  - a. Consider approval of the Borough Council Meeting Minutes for July 9, 2018.
8. Mayor Lutz
  - a. Proclamation 18-3: National Recovery Month – September 2018.

**II. Standing Committee Assignments**

9. The Committee on Finance
  - a. Consider approval of June 2018 Financial Reports including Check Register Report, Treasurer's Report, Tax Collector's Report, Budget Performance Reports: General Fund, Capital Fund, Bond Capital Fund and State Fund (Liquid Fuels).
  - b. Consider approval for participation of Columbia Borough in the expanded Keystone Opportunity Zone (KOZ) program for the properties previously identified by council.
  - c. Announcement regarding expansion of CHIHL program to include all of Columbia Borough.
  - d. Consider approval of Engagement Letter from Cohen Law Group regarding Cable Franchise Renewal Services
  - e. Consider approval to purchase one license plate reader from Leonardo Selex ES, Inc. at a price not to exceed \$15,000 installed as budgeted for in the 2018 Capital Budget.
10. The Committee on Personnel
  - a. Consider approval to hire Thomas Dills as a Crossing Guard at a rate of \$12.71 consistent with the Non-Uniform Contract and contingent upon successful completion of all pre – and post-employment testing
11. The Committee on Public Works & Property

- a. Consider approval of Facilities Use Request submitted by Pastor Angelo Rodriguez, of Faith Community Church, for a "Back To School" event at Makle Park on August 18, 2018 at 3:00 PM pending proof of insurance.
  - b. Consider approval of the Wastewater Treatment Plant Declaration of Environmental Covenants
  - c. Public Works Director & Wastewater Manager Report
12. The Committee on Public Safety
- a. Reports: Police/Fire/Codes/Zoning, Planning, Food & EMA reports; Statistical Reports: SVEMS/CQRS; School Resource Officer Report.
  - b. Consider approval of Facilities Use Request submitted by WSOX for the Toys for Tots Drive to take place on Sunday, December 9, 2018, 9:00 AM through Saturday, December 15, 2018, 6:00 PM. Site requested: East bound Re. 462 and the jug handle near 2<sup>nd</sup> Street at the Veterans Memorial Bridge.
13. The Committee on Parks and Recreation
- a. Update on Parks and Recreation Plan effort and announcement of community survey
14. The Committee on Legislation
- a. Consider the adoption of Ordinance No. 899  
AN ORDINANCE OF THE BOROUGH OF COLUMBIA, LANCASTER COUNTY, PENNSYLVANIA, ACKNOWLEDGING THE ADOPTION BY THE COMMONWEALTH OF PENNSYLVANIA OF THE PENNSYLVANIA FIREWORKS LAW, ACT 43 OF 2017, ACKNOWLEDGING THAT THE FIREWORKS LAW PROHIBITS THE IGNITING OR DISCHARGE OF CONSUMER FIREWORKS ON PUBLIC OR PRIVATE PROPERTY WITHOUT THE EXPRESS PERMISSION OF THE OWNER, PROVIDING THAT THE BOROUGH OF COLUMBIA DOES NOT GRANT PERMISSION FOR ANYONE TO IGNITE OR DISCHARGE CONSUMER FIREWORKS ON THE STREETS OR SIDEWALKS OF THE BOROUGH OF COLUMBIA OR PROPERTY OWNED BY THE BOROUGH OF COLUMBIA INCLUDING, WITHOUT LIMITATION, ALL OF THE BOROUGH OWNED PARKS AND PUBLIC BUILDINGS; DIRECTING THAT THE BOROUGH OF COLUMBIA PROVIDE CERTIFIED COPIES OF THE ORDINANCE TO ALL MAGISTERIAL DISTRICT JUDGES WITHIN THE BOROUGH; AND PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT IN ACCORDANCE WITH PENNSYLVANIA LAW.
  - b. Consider the adoption of Ordinance No. 900  
AN ORDINANCE OF THE BOROUGH OF COLUMBIA, LANCASTER COUNTY, PENNSYLVANIA, AMENDING SECTION 112-10 OF THE CODE OF THE BOROUGH OF COLUMBIA TO PROVIDE THAT THE REVIEW AND APPEALS BOARD SHALL CONSIST OF THREE MEMBERS WITH UP TO TWO ALTERNATES WHO ARE QUALIFIED BY EXPERIENCE AND TRAINING TO PASS ON MATTERS PERTAINING TO PROPERTY MAINTENANCE; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT IN ACCORDANCE WITH PENNSYLVANIA LAW
  - c. Consider approval to advertise Ordinance No. 901 with modifications as noted from the August 8, 2018 Legislation Committee for consideration at the September 10, 2018 Borough Council meeting:

AN ORDINANCE OF THE BOROUGH OF COLUMBIA, LANCASTER COUNTY, PENNSYLVANIA, ESTABLISHING A VOLUNTEER SERVICE CREDIT PROGRAM; ENACTING TAX CREDITS FOR VOLUNTEER MEMBERS OF A VOLUNTEER FIRE COMPANY; ESTABLISHING ADMINISTRATIVE PROCEDURES AND APPEALS; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY PENNSYLVANIA LAW.

- d. Consider approval to advertise Ordinance No. 902 with modifications as noted from the August 8, 2018 Legislation Committee for consideration at the September 12, 2018 Legislation Committee meeting:  
AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF COLUMBIA, LANCASTER COUNTY, PENNSYLVANIA AMENDING CHAPTER 130 OF THE CODE OF THE BOROUGH OF COLUMBIA – HISTORIC DISTRICT, SECTION 130-7 TO REVISE THE DEFINITION OF ALTERATION AND ADD DEFINITIONS FOR SATELLITE DISH AND ANTENNA, SECTION 130-16.C. – PREAPPROVED ACTIVITIES, TO REMOVE SUBPART (6) REGARDING INSTALLATION OF COMMERCIAL AND BUSINESS SIGNAGE TO THE EXTERIOR OF BUILDINGS; ADD A NEW SECTION 130-15.2 TO ESTABLISH REGULATIONS REGARDING SATELLITE DISHES AND ANTENNAS AND REVISING SECTION 130-25 – DECISIONS ON APPLICATIONS, SUBPART C. TO CLARIFY MATTERS REGARDING PROPOSALS FOR NEW CONSTRUCTION OR ALTERATION AND PROPOSALS FOR DEMOLITION; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT IN ACCORDANCE WITH PENNSYLVANIA LAW.
- e. Consider approval to advertise and hold a public meeting for the public review of the proposed expansion of the Borough of Columbia Historic District to be held at a future date (no later than December 15, 2018.) To allow for the coordinated efforts of the HARB, zoning and Legislative Committee to notify, via US Mail, all parcel owners of said public meeting and the preparation of presentation. To acquire any other necessary approvals as may be required.

15. Community Development

**III. Reports of Boards, Commissions, Authority, Solicitor, and Secretary/Treasurer**

16. Solicitor

17. Secretary/Treasurer

18. Boards/Commissions/Authority

19. Reports from Council Members

20. Citizen Comments (Non-Agenda Items Only)

21. At 6:00pm on September 10, 2018 Council will hold an information session to receive information from its Borough Manager and Solicitor.

**IV. Adjournment**

Columbia Borough Council Meeting  
August 13, 2018  
Paul W. Myers Council Chambers

Council President Murphy called the meeting to order at 7:00 PM.

**Councilpersons present:** Berntheizel, Burgard, FitzGerald, Kress-Hartman, Murphy, Novak and Williams. Mayor Lutz was also present.

**Junior Councilpersons present:** Simpson, Black and Misciagna. Cover was absent.

A prayer was offered by Rev. Dawn Harmen of Mt. Zion AME Church.

Mayor Lutz led the pledge to the flag.

Council President Murphy announced on July 23, 2018 at 5:00 PM Council held an executive session for the purpose of discussing a property acquisition from the McGinness Trust.

Council President Murphy announced on August 13, 2018 at 6:00 PM Council held an executive session for the purpose of discussing a property acquisition from the McGinness Trust.

Council President Murphy announced on August 13, 2018 at 6:00 PM Council held an information session to receive information only from its Borough Manager and Solicitor.

Presentation from Representatives of Environmental Protection Agency (EPA); Michael Hendershot and Mark Conaron, on the Wastewater Treatment Plant Declaration of Environmental Covenants.

**Motion:** To move 11b listed on the agenda to the current placement on the agenda.  
**Motion:** C. Berntheizel 2<sup>nd</sup>: J. Novak **Voice Vote:** All Favored  
Motion Carried

**Motion:** To approve the Wastewater Treatment Plant Declaration of Environmental Covenants and allow the solicitor to terminate the 2007 covenants.  
**Motion:** F. Fitzgerald 2<sup>nd</sup>: P. Williams **Voice Vote:** All Favored  
Motion Carried

**Citizen Comments – Agenda items only**

**Minutes for Approval**

**Motion:** To approve the Borough Council Meeting Minutes for July 9, 2018.  
**Motion:** C. Berntheizel 2<sup>nd</sup>: J. Novak **Voice Vote:** All Favored  
Motion Carried

**Mayor Lutz**

Read Proclamation 18-3 for the Borough of Columbia making the month of September “National Recovery Month”.

Expressed gratitude for the approximate 50 businesses/organizations that participated in National Night Out. A rain date will be included in next year’s planning.

**STANDING COMMITTEE ASSIGNMENTS**

**The Committee on Finance**

**Motion:** To approve June 2018 Financial Reports including Check Register Report, Treasurer’s Report, Tax Collector’s Report, Budget Performance Reports: General Fund, Bond Capital Fund and State Fund (Liquid Fuels).

**Motion:** K. Murphy 2<sup>nd</sup>: J. Novak **Voice Vote:** All Favored  
**Motion Carried**

**The Committee on Finance (continued)**

**Motion:** To approve for participation of Columbia Borough in the expanded Keystone Opportunity Zone (KOZ) program for the properties previously identified by council.

**Motion:** K. Murphy 2<sup>nd</sup>: C. Berntheizal **Voice Vote:** All Favored  
**Motion Carried**

**Motion:** To approve Engagement Letter from Cohen Law Group regarding Cable Franchise Renewal Services.

**Motion:** K. Murphy 2<sup>nd</sup>: J. Novak **Voice Vote:** All Favored  
**Motion Carried**

**Motion:** To approve the purchase of one license plate reader from Leonardo Selex ES, Inc. at a price not to exceed \$15,000 installed as budgeted for in the 2018 Capital Budget.

**Motion:** K. Murphy 2<sup>nd</sup>: C. Berntheizal **Voice Vote:** All Favored  
**Motion Carried**

The next Finance Committee Meeting will be held on Monday, August 27, 2018 at 6:00 PM.

**The Committee on Personnel**

**Motion:** To approve the hiring of Thomas Dills as a Crossing Guard at a rate of \$12.71 consistent with the Non-Uniform Contract and contingent upon successful completion of all pre – and post-employment testing.

**Motion:** M. Hartman 2<sup>nd</sup>: J. Novak **Voice Vote:** All Favored  
**Motion Carried**

**The Committee on Public Works & Property**

**Motion:** To approve a Facilities Use Request submitted by Pastor Angelo Rodriguez, of Faith Community Church, for a "Back To School" event at Makle Park on August 18, 2018 at 3:00 PM pending proof of insurance.

**Motion:** F. FitzGerald **2<sup>nd</sup>:** J. Novak **Voice Vote:** All Favored  
Motion Carried

The next Public Works & Property Committee Meeting will be held on Tuesday, August 21, 2018 at 6:00 PM.

**The Committee on Public Safety**

**Motion:** To approve Facilities Use Request submitted by WSOX for the Toys for Tots Drive to take place on Sunday, December 9, 2018, 9:00 AM through Saturday, December 15, 2018, 6:00 PM. Site requested: East bound Re. 462 and the jug handle near 2<sup>nd</sup> Street at the Veterans Memorial Bridge.

**Motion:** T. Burgard **2<sup>nd</sup>:** C. Berntheizel **Voice Vote:** All Favored  
Motion Carried

The next Public Safety Meeting will be held on Wednesday, September 12, 2018 at 6:00 PM.

**The Committee on Municipal Legislation**

**Motion:** To approve the adoption of Ordinance No. 899

**Motion:** J. Novak **2<sup>nd</sup>:** C. Berntheizel **Voice Vote:** All Favored  
Motion Carried

**Motion:** To approve the adoption of Ordinance No. 900

**Motion:** J. Novak **2<sup>nd</sup>:** T. Burgard **Voice Vote:** All Favored  
Motion Carried

**Motion:** To approve advertising Ordinance No. 901 with modifications as noted from the August 8, 2018 Legislation Committee for consideration at the September 10, 2018 Borough Council meeting:

**Motion:** J. Novak **2<sup>nd</sup>:** T. Burgard **Voice Vote:** All Favored  
Motion Carried

**Motion:** To approve advertising Ordinance No. 902 with modifications as noted from the August 8, 2018 Legislation Committee for consideration at the September 10, 2018 Borough Council meeting.

**Motion:** J. Novak **2<sup>nd</sup>:** C. Berntheizel **Voice Vote:** All Favored  
Motion Carried

**Motion:** To approve advertising and holding a public meeting for the public review of the proposed expansion of the Borough of Columbia Historic District to be held at a future date (no later than December 15, 2018.) To allow for the coordinated efforts of the HARB, zoning and Legislative Committee to notify, via US Mail, all parcel owners of said public meeting and the preparation of presentation. To acquire any other necessary approvals as may be required.

**Motion:** J. Novak      2<sup>nd</sup>: P. Williams      **Voice Vote: All Favored  
Motion Carried**

The next Municipal Legislation meeting will be held on Wednesday, September 12, 2018 immediately following the Safety Committee meeting at 6:00 PM.

### **The Committee on Parks and Recreation**

Announcement on a community survey for the development of the Columbia Borough Parks and Recreation Plan. A link to the survey may be found on social media and the Borough website and hard copies will also be available at the Borough Office.

The next Parks and Recreation meeting will be on Thursday, September 13, 2018 at 6:00 PM.

### **The Committee on Community Development**

The dedication of the Library was Sunday, August 12, 2018

The next Community Development meeting will be on Thursday, August 16, 2018 at 6:00 PM.

### **REPORTS OF BOARDS, COMMISSIONS, AUTHORITY, SOLICITOR, AND SECRETARY/TREASURER**

**Solicitor**                      (no action items)

#### **Secretary/Treasurer**

Borough Manager Denlinger stated she received a petition in reference to a property on Locust Street operating a short term rental (Air BNB).

#### **Boards/Commissions/Authorities**

Planning Commission is currently holding work sessions starting at 6:00 PM – an hour before the start of their regular monthly meeting.

#### **Reports from Council Members**

A statement was read by Councilman Murphy regarding the Key Lock Box portion of Ordinance 891, Consolidating the Fire Companies, which was enacted in December 2017.

**Citizen Comments – Non-Agenda items**

See attached

Additionally, there will be an information session held to receive information from its Borough Manager and Solicitor on September 10, 2018 at 6:00 PM.

**Motion:** To adjourn the meeting at 9:07 PM.

**Motion:** C. Berntheizel 2<sup>nd</sup>: J. Novak      **Voice Vote:** All Favored  
Motion Carried

**MOTIONED AND APPROVED** this 13<sup>th</sup> day of August 2018, by the Borough Council of the Borough of Columbia, Lancaster County, Pennsylvania, in lawful session duly assembled.

**BOROUGH OF COLUMBIA, LANCASTER COUNTY, PENNSYLVANIA**

**By:**   
\_\_\_\_\_  
Kelly Murphy, Council President

**ATTEST:**   
\_\_\_\_\_  
Rebecca S. Denlinger, Secretary/Treasurer



**BOROUGH COUNCIL MEETING**

**CITIZEN COMMENTS**

August 13, 2018

**AGENDA ITEMS**

Shirley McBride 219 Perry Street, Columbia, Pa	Questioned agenda item 14-a	Council President Murphy responded
Mary Wickenheiser 620 Chestnut Street, Columbia, Pa	Questioned agenda item 4-b Questioned agenda item 14-a	Council President Murphy responded Borough Solicitor responded
	Questioned agenda item 14-b Questioned agenda item 14-d	Borough Manager Denlinger responded Councilman Novak responded
Tom Steiner 650 Penn Street, Columbia, Pa	Questioned agenda item 4-a and b	Borough Solicitor responded
<b>NON-AGENDA ITEMS</b>		
Nick Meley 613 Walnut Street, Columbia, Pa	Regulating Landlords	Council President Murphy responded
Shirley McBride 219 Perry Street, Columbia, Pa	Neighbor issues Fireworks	Council President Murphy responded Council President Murphy responded
Joanne Fritz 1060 Locust Street, Columbia, Pa 17512	Air B&B	Council President Murphy responded
Frank Doutrich 1001 Ironville Pike, Columbia, Pa 17512	Lockbox, Highway, Police dog and Beer Fest Appeals Board	Council President Murphy responded Borough Manager Denlinger responded
Sharon Lintner 500 Chestnut Street, Columbia, Pa	Citizen comments, Video taping meetings High weeds on Cedar St.	Borough Manager Denlinger responded