

March 7, 2016

The New Oxford Borough Council met 7PM on Monday, March 7, 2016, in borough council chambers located at 124 North Peters Street, New Oxford, for their regularly scheduled and advertised council meeting.

The meeting was called to order and pledge of allegiance led by Council President Robinson.

The following were present: John Lansing, Dorothy Robinson, Patrick Sullivan, Stanley Wannop and James Zero. Also present were Mayor Portia Bosch, Solicitor Harold Eastman, Engineer Robert Lauriello and Secretary/Treasurer Tania Kepner.

President Robinson stated an executive session of the Borough Council of the Borough of New Oxford was conducted immediately prior to the commencement of this evening's meeting beginning at 6 PM consistent with section 708(a)(3), section 708(a)(4) and 708(a)(5) of the Sunshine Act for the following purposes: 1) in order to discuss matters in connection with the proposed purchase of real property by the Borough and the lease of real property by the Borough; 2) in order to consult with its engineer and its solicitor regarding information and strategy relative to matters and issues on which identifiable complaints are expected to be filed in connection with a claim for the completion of public or common improvements for an approved subdivision within the Borough; and 3) in order to discuss privileged matters in connection with possible regional police coverage for the Borough of New Oxford and other nearby municipalities.

Audience acknowledgment / opportunity for public comment:

1. Dustin Poist, United Hook & Ladder. Poist gave progress reports for the fire company, Adams EMA and ARMS. The fire company second floor building renovations will begin soon.
2. Cary Murphy, 114 Lincoln Way East. Murphy wanted to know why the borough enacted a two hour parking limit two blocks from the square on Lincoln Way East because this is hurting his business. Zero informed Mr. Murphy that the two hour parking limit is to help the business by providing parking for customers. Murphy questioned why he received a NOTICE of Violation a few months ago from the Code Enforcement Officer stating that his sand which board sign was not permitted. Murphy stated that he only has it out during business hours. Council informed Mr. Murphy that he may have his sand which board sign out during his business hours.

Zero made the motion to approve the minutes from the February 1, 2016 council meeting and the February 10, 2106 workshop as presented. Sullivan seconded. Motion carried.

Wannop made the motion to accept the Code Enforcement Officer's Report as presented. Sullivan seconded. Motion carried.

Finance, Budget & Treasurer's Report by Sullivan:

1. Sullivan made the motion to pay the bills as per the Vendor Balance Detail Report. Wannop seconded. Motion carried.
2. Sullivan made the motion to accept the financial reports as presented. Wannop seconded. Motion carried.

Building & Grounds Report by Zero:

1. Zero made the motion authorizing Dorothy M. Robinson, Council President, to sign the Change to Listing Agreement with Rock Commercial Real Estate to continue to search for someone to lease the empty space in the borough building. Lansing seconded. Motion carried.
2. Zero made the motion authorizing Solicitor Eastman to prepare a lease agreement with Community Media with a five year term with a 3% rent increase each year. Lansing seconded. Motion carried.

3. Zero made the motion to extend the lease agreement with Peaceful Dragon for one year @\$435.00 per month. Lansing seconded. Robinson voted no. Motion carried.

Robinson had nothing to report for Parks & Recreation.

Robinson had nothing to report for the Eastern Adams Regional Police Department Commission Report.

Streets & Sidewalks Report by Wannop:

1. North Berlin Avenue Snow Emergency Route. Council decided to not enact a Snow Emergency Route on North Berlin Avenue.
2. CSX railroad track repairs on Lincoln Way West. Council directed Engineer Lauriello to contact CSX again regarding the schedule for the track repairs. The borough would like to have the new inlets installed at the same time while CSX is doing the repairs to the tracks.
3. Council directed Engineer Laureillo to get an estimate for cleaning out the storm drain on Lincoln Way East across from Aero Energy.
4. The borough received notification from NOMA that street sweepings can no longer be dumped at the sewer plant. We will need to find a place to dump the sweepings.
5. Wannop will work with Engineer Lauriello to put together the 2016 Street Repair Project list which will include replacing the storm drain on North Peters Street at School Street.
6. A letter of complaint was received from Jenette Hawley who owns Jenette's Olde Tyme Baber Shop at 15 Lincoln Way East. The new two hour parking on Lincoln Way East is affecting her business. Mrs. Hawley is requesting a parking pass. Council will review and discuss at the April 4th council meeting.

Community Revitalization Committee Report by Wannop:

1. Wannop made the motion to adopt Resolution #02-2016 for the purpose of authorizing the Borough of New Oxford to enter into a Purchase Sale Agreement with CSX Transportation, Inc. for the purchase of certain real property containing .74 acres, more or less, and improved with the former Western Maryland Railroad New Oxford Passenger Station building located on Lincoln Way West in the Borough of New Oxford by the Borough of New Oxford for the purchase price of \$40,000.00 and to authorize the issuance of the required deposit to CSX in the amount of \$8,000.00 and to authorize Dorothy M. Robinson, President of Borough Council, Tania K. Kepner, Secretary/Treasurer, to execute and deliver any and all other settlement documents in order to complete the purchase of the real property from CSX Transportation, Inc. Lansing seconded. Motion carried.
2. The council discussed establishing a Train Station Planning Committee

Mayor Bosch had nothing to report for Health & Safety.

Mayor Bosch had nothing to report for the Mayor's Report.

Wannop made the motion to enact Ordinance #456, amending Chapter 15, Part 4, Section 404, by prohibiting the parking of buses, construction vehicles, recreational vehicles, truck tractors, trailers and other vehicles on borough streets and alleys except in certain locations. Zero seconded. Motion carried.

Wannop made the motion authorizing Solicitor Eastman to prepare an ordinance to enact the 2015 International Property Maintenance Code. Lansing seconded. Motion carried.

Adams County Electronic Recycling Program. The Program is not up and running yet. Council would like to know if the borough does not donate \$500 to the program would borough residents still be able to take their electronic items to the county for recycling. Secretary Kepner will contact Bicky Redman to find out.

Bud Avenue Irrevocable Letter of Credit:

1. Sullivan made the motion to authorize the execution and presentation of a Sight Draft in the amount of \$135,135.75 drawn on Adams County National Bank, now ACNB Bank, Irrevocable Letter of Credit No. 607-030, dated April 11, 2008 and extended to April 11, 2016, for the use of such funds for the construction, completion and installation of all or part of the remaining required improvements of the Bud Avenue Subdivision. Dorothy M. Robinson, President of Borough Council, and Tania K. Kepner, Secretary/Treasurer, are hereby authorized to execute and deliver the Sight Draft on behalf of the Borough of New Oxford, and Robert M. Lauriello, P.E., Borough Engineer of Rettew Associates, Inc. is hereby authorized on behalf of the Borough of New Oxford to execute the statement and certification to be attached to and made a part of the Sight Draft. Zero seconded. Motion carried.

2. Sullivan made the motion to authorize the preparation of specifications by Robert M. Lauriello, P.E., Borough Engineer of Rettew Associates, Inc. for the construction, completion and installation of all or part of the remaining required improvements of the Bud Avenue Subdivision to enable the Borough to advertise and provide due notice of the Borough's invitation for the submission of bids and its intention to award a contract or contracts to the lowest qualified and responsible bidder or bidders for the construction, completion and installation of such improvements. Wannop seconded. Motion carried.

Zero made the motion authorizing Solicitor Eastman to prepare and send a letter to Gates & Gates Trial Attorneys who are representing Bryan and Jessica Felix informing them that the Borough is not going to complete the requested storm drain repairs. Wannop seconded. Motion carried.

David Bolton, Councilman from McSherrystown Borough sent a Motorcycle Profiling Resolution for the council's consideration. The council is not interested in adopting this resolution.

President Robinson had nothing to report for the President's Report.

Wannop made the motion for adjournment at 8:20 PM. Zero seconded. Motion carried.

Respectfully submitted by,

Tania K. Kepner
Secretary/Treasurer