

**ATGLEN BOROUGH COUNCIL**

**BUSINESS MEETING**

**MONDAY, AUGUST 6, 2018**

President Charles Palmer Jr. called the meeting of the Atglen Borough Council to order on Monday, August 6, 2018 at 7:00 P.M. in the Borough Hall. The following members were present.

Charles H. Palmer Jr.	Josh Glick (arrived at 7:20 pm)	Brian Hahn
Denim Kurtzhals	Melissa McClay	Mayor George Stewart

**DI-ATGLEN ALLEY WIZARD FAIRE UPDATE, ATGLEN LIBRARY**

Erin Metzler said the event held on July 28 was very successful. She shared some of the photos. The event was well attended with over 1100 participants. The free kids' activities were mobbed all day. The food vendors did very well. The Atglen Library generated \$ 9,000.

**ATGLEN LIBRARY UPDATE**

Robbyn Kehoe reviewed the 2017 statistics for library attendance, programming, and circulation. The community is utilizing the library services. Ms. Kehoe discussed the library funding and said their goal is to reach the \$ 100,000 annual mark. Ms. Kehoe invited everyone to the Legislative Breakfast on September 14.

**PUBLIC WORKS MANAGER'S REPORT**

Bryan Umble reviewed the monthly Water and Sewer Report. Mr. Umble stated the pump at Water Well #3 was pulled. It was caked in mud. The next step is to televise the well.

Mr. Glick arrived at 7:20 pm.

Mr. Umble said a second new pump was installed at the West End Pump Station. This is a dual pump station with both pumps being upgraded within the last two years. DEP did a Wastewater Treatment Plant site inspection on July 18 and found everything was in order.

The tour of the Water and Sewer facilities for the Mayor and Council is scheduled for September 1.

**PUBLIC COMMENT** – There were no comments.

**COUNCIL ACTION ITEMS**

Residential Rental Property Maintenance and Occupancy Ordinance, Ordinance No.577-18 – Motion to approve made by Kurtzhals/Hahn. All members were in agreement.

Fees for the Residential Rental Property Maintenance and Occupancy Ordinance, Resolution No. 578-18 – Motion to approve made by Hahn/McClay. All members were in agreement.

Ratify the Appointment of Kristen Walters to the Park and Recreation Commission, Resolution No. 575-18 – Motion to approve made by Kurtzhals/Glick. All members were in agreement.

Authorize the Engineer and Borough Manager to proceed on the Request to Bid for the Well #4 Nitrate Treatment System and Ridge Avenue Water Line Project – Motion to approve made by Kurtzhals/Hahn. DEP issued the permit for the Nitrate Treatment System. Chester County approved the bid documents. All members were in agreement.

Planning Commission Appointment, Resolution No. 576-18 - Ms. Andrews said there is a vacancy on the Planning Commission. The position was advertised on the Borough's website. Two residents submitted letters of interest. Darren Hodorovich was present and provided a summary of his background. The second candidate, Cheryl Kuhn, was unable to attend tonight's meeting due to a work commitment. Council decided to delay taking action and wait for the September meeting where they can meet Ms. Kuhn.

Appointment of Junior Council Person – Ms. Andrews said one application was received from Grant Burkhardt, a senior at Octorara High School. Motion to approve made by Kurtzhals/Hahn. All members were in agreement.

July 2, 2018 Council Minutes, July 19 Council Minutes, Treasurer's Report, Bills of Approval, Department and Advisory Reports – Motion to approve made by Palmer/Glick. All members were in agreement.

## **COUNCIL DISCUSSION ITEMS**

Park and Recreation Commission Vacancy – Ken Hertz resigned from the Park and Recreation Commission. Council told the Manager to advertise the vacancy on the Borough's website.

Chickens – Mr. Kurtzhals said the draft Ordinance is in the Council packet. Mr. Kurtzhals, Mr. Hahn, and Ms. Andrews worked this past month on developing a draft Ordinance. They reviewed existing local ordinances in Chester County municipalities. Carol McGrath asked about enforcement. Anthony Campbell, the Code and Zoning Official, will handle permits, inspections, and enforcement. Mr. Palmer asked about the current violators. A discussion was held.

Motion to send the draft Chicken Ordinance to Anthony Campbell, the Code Officer, and Helen Esbenschade, the Solicitor, for their review. Motion to approve made by Hahn/Kurtzhals. The motion passed 4 to 1. The one nay vote was Mr. Palmer.

Hunt Manor Dedication Update – Ms. Andrews reminded Council that due to the 24' cartway for Willow Lane the subdivision approval prohibits street parking. The developer agreed to install three street lights.

Fireworks – In light of the recent changes to Pennsylvania law, Ms. Andrews obtained legal guidance from Helen Esbenschade on the current Borough Ordinance, Ordinance No. 148 of 1971. Ms. Esbenschade said the current Borough Ordinance supersedes the State law in the area of discharging fireworks within the Borough. The Borough Ordinance prohibits the discharge with two exceptions.

Octorara Soccer Club Shed – Ms. Andrews said the Octorara Soccer Club (OSC) has started to use the Atglen Park. They placed at the park at their cost a port-a-potty. The Octorara Area School District has asked the club to remove their 10' x 20' shed. The OSC is requesting the shed be placed at the Atglen Park on the concrete pad and has agreed to the following: Obtain zoning and stormwater management exemption permits; keep the shed secured; insure the shed and provide the Borough with a current insurance certificate; limit the use of the shed to the storing of OSC equipment and supplies; no outside storage; if vandalized the Borough is not liable; and the Borough can request the shed be removed or relocated if and when the park is developed, the Borough does stormwater improvements, or the condition of the shed is unsafe or aesthetically unappealing.

Motion to accept the OSC shed per the aforesaid conditions and waive the permit fees. Motion to approve made by Kurtzhals/Glick. All members were in agreement

Applewood-Chetty Development – A discussion was held regarding the August 2, 2018 letter from Chetty Builders requesting changes to the approved plan and financial concessions. Mr. Chetty asked for another special meeting and/or an expeditious response. The developer is interested in constructing townhomes on the Open Space Parcel E, a parcel that is to be conveyed to the Borough. Ms. Andrews said she is waiting for a legal opinion from Chetty on their right to develop the Open Space Parcel E.

Motion to have the Atglen Borough Planning Commission review the Chetty Builders' letter of August 2, 2018 when the developer is ready to present said letter to the Planning Commission. Motion to approve made by Glick/Hahn. All members were in agreement.

**PARK AND RECREATION COMMISSION UPDATE** - Mr. Kurtzhals said the Covered Bridge Family Run/Walk is moving forward as a kick-off event for Community Day. Sadsbury Township and West Sadsbury Township approved the route. This will be a non-sanctioned run. They are looking for volunteers. There is no registration fee, but are hoping for a donation of a canned good for the Food Cupboard. The Commission is working on hosting a historical tour and the holiday events.

**PLANNING COMMISSION UPDATE** - Mr. Hahn said the meeting was brief. They discussed the Applewood-Chetty development.

**MANAGER'S COMMENTS** – Ms. Andrews read aloud the announcements as follows: Christiana Police Department Night Out on August 7, the Planning Commission Public Hearing for the Comprehensive Plan on August 22, the Bike Chesco Bike Rodeo Event on August 25, the next

Council meeting on September 10 (meeting moved due to the Labor Day holiday), and a Police Committee Meeting with Christiana Borough on September 24.

Ms. Andrews discussed the past practice of the preparation of the budget. Council said to follow that process for the Year 2019 season.

Ms. Andrews' read aloud her report and responded to questions.

#### **VISITORS' COMMENTS IN GENERAL PERTAINING TO THE BOROUGH**

Carol McGrath, Hillcrest Drive, asked for an explanation on the Di-Atglen Alley Name. Mr. Palmer and Mr. Kurtzhals responded. Ms. McGrath asked who resigned from the Planning Commission. The response was Jim Chapman.

#### **MAYOR'S COMMENTS**

Mayor Stewart said he was pleased to hear the Di-Atglen Alley Wizard Faire was a success. He drove through the town the evening after the event was over. The municipality was spotless. Mr. Stewart registered for the Chesco CERT training and will be missing the September and October Council meetings.

#### **COUNCIL MEMBERS' COMMENTS FOR THE GOOD OF THE BOROUGH**

Mr. Kurtzhals asked about the NIMS training recently held for the councilpersons. Mr. Kurtzhals thanked the public works staff for their efforts in keeping Atglen clean and attractive.

#### **ADJOURNMENT**

Motion made by Hahn/Glick at 9:20 PM to adjourn. All members agreed.

Respectfully submitted,

Caren D. Andrews  
Borough Manager/Secretary