

ATGLEN BOROUGH COUNCIL

BUSINESS MEETING

MONDAY, OCTOBER 3, 2022

President Palmer called the meeting of the Atglen Borough Council to order on Monday, October 3, 2022 at 7:00 pm in the Borough Hall. The following members were present:

Charles H. Palmer Jr.	Joshua Glick	George Stewart
Melissa McClay	Brian Hahn	Mayor Darren Hodorovich

President Palmer announced an Executive Session will be held this evening at the end of the agenda to discuss personnel matters.

ZONING CODE AND IN-HOME BUSINESS – Craig Kologie, Castle Valley Consultants, Zoning Officer, introduced the topic. The Borough received a recent complaint about a home business. The Zoning Code allows for home occupation and no impact home based businesses. There is a conflict in the definitions. The Zoning Code requires annual permits for all home occupation businesses and no impact based businesses. Ms. Andrews found no documentation of Borough issued annual permits. Ms. Andrews asked Council to form a task force to look at this no impact and home occupation definition, look at the permitting for said activity, and look at other inconsistencies in the Zoning Code. Council asked her to place this on the November agenda.

PARK AND RECREATION COMMISSION REPORT – Emily Reid provided the report. She said the fun/walk event was enjoyed by the participants. Improvements are needed as follows: more volunteers, better direction along the route, fire police. The September meeting was cancelled because there was no quorum. The no quorum impacted the planning of the Halloween event; and, it was cancelled.

JUNIOR COUNCIL PERSON REPORT – Emmerson Ware provided the report. She discussed the Homecoming events, Hall of Fame banquet, Fall sports, PSAT test, ACT test, Halloween events, and West Fallowfield Christian School events.

PUBLIC COMMENTS

Joey Rzonca, West Sadsbury Township resident, spoke on the anonymous complaint. This business benefits the Borough's citizens. If the in-home business existed prior to the Year 2014 Zoning Code adoption Council should grandfather the activity.

APPROVE MINUTES – SEPTEMBER 12, 2022 Motion to approve made by McClay/Hahn. All members were in agreement, 5 to 0.

APPROVE BILLS LIST AND TREASURER'S REPORT. Motion to approve made by Palmer/Glick. All members were in agreement, 5 to 0.

OLD BUSINESS

Applewood Development, Stage 1 Update – Dan Becker, Bob Lynn, and Helen Esbenshade were present.

Dan Becker - All sanitary sewer and water lines are installed. The sewer lines have been tested and passed. The sewer lines need to be videoed. The public water system needs to be tested. The booster station structure is constructed. The equipment and electric status are unknown. The Applewood homes require the booster station for domestic water and fire flow. A discussion was held about the DEP Operations Permit process and EDUs. Ms. Andrews said Ryan Homes has contacted her to discuss the permit process.

Bob Lynn – The stormwater basin pipes have been installed. There is an inlet issue and basin outfall conflict that must be addressed by Chetty's engineer. Repairs are needed. The curbing is mostly installed. The ADA ramps at the intersections must be installed. The interior paving is incomplete and passable. Paving along Zion Hill Road and Liberty Street is not completed. The Liberty Street road damage and repair is under discussion. The site is stabilized. The streetscape improvement is incomplete.

The Professionals were asked to prepare a list of incomplete items and present it to Chetty, the developer.

Borough Hall Park Design and Costs, Discussion/Consideration – Sara Pevaroff Schuh presented the schematic design. Stormwater management features are included. The trailhead was discussed. There was a discussion on the safety surface for the traditional playground. There was a discussion on the vibra musical chimes and proposed location. Council liked the musical element and was agreeable to the proposed location in the traditional playground.

Bob Masterfone asked about the protection for the rail line and rail to trail connection. The recommendation was to install a fence. A discussion was held about the type of fence.

Motion was made by Hahn/Stewart to approve the Borough Hall Park schematic design dated October 3, 2022. All members were in agreement, 5 to 0.

Basic Life Support Emergency Medical Services – Mr. Stewart summarized the current status. The municipal representatives serviced by the Christiana Community Ambulance Association (CCAA) met with CCAA on September 27. CCAA has contracted with WellSpan for daytime EMT coverage. Mr. Stewart attended the September 29 CCAA Board meeting and is encouraged by their progress.

John Sly, Westwood EMS spoke. WellSpan is not a community based organization. Mr. Sly said it is a corporate model similar to Tower Health. Mr. Sly believes the ambulance services have moved beyond being managed and operated by volunteers and volunteer EMTs. Mr. Sly reviewed last month's Advance Life Support call history.

Request the Christiana Community Ambulance Association (CCAA) Accept the Appointment of George Stewart to the CCAA Board of Directors. Motion made by Hahn/Glick. The vote carried 4 to 0 with 1 abstaining. Mr. Stewart abstained because he was concerned that voting for himself presented a conflict.

Emergency Medical Services (EMS) Real Estate Tax – Ms. Andrews prepared a draft Ordinance. Chester County serves as our Tax Collector. She is waiting to hear from the County. Ms. Andrews has spoken to some municipalities that use the County collection service and have a non-general purpose real estate tax. The municipalities told her the County will not create a separate line item on the tax bill for each tax category. Ms. Andrews said without that information it will be more difficult to track the revenue. The taxpayer will not see how much they are paying for the EMS tax. John Sly spoke about the benefits of the designated tax. Council asked Ms. Andrews to continue her research.

Brandywine Valley Active Aging Contribution Request, Discussion/Consideration – Ms. Andrews said this request was sent to us in error. Our participation rate is seven seniors. There are other senior centers in the area. Council took no action.

Utility Rates, Energy Procurement Award – Ms. Andrews said four bids were received to fix the kwh rate for a term of 36 months. The contract start date is March 2023. The consultant recommended Freepoint, low bidder, at \$.08571 per kwh. Motion to approve made by Hahn/Glick. All members were in agreement, 5 to 0.

PUBLIC COMMENTS –No comments.

NEW BUSINESS

Approve the Applewood Homes LLC Letter of Credit, Certificate of Completion- Reduction #12 Revised to Update the New Balance of the Letter of Credit and Authorize the Council President to Execute Said Document – Motion to approve made by Hahn/McClay. All members were in agreement, 5 to 0.

Applewood Homes LLC Letter of Credit, Certificate of Completion- Reduction # 13 in the Amount of \$ 98,430.49 and Authorize the Council President to Execute Said Document - Motion to approve made by Stewart/McClay. All members were in agreement.

Trash and Recycling Fees – Ms. Andrews said we are entering our 4th year of a five year contract. The fee is increasing in total by \$ 6,800 in Year 4 and a similar jump in Year 5. Council

asked Ms. Andrews to prepare a rate increase that blends the two years 2023 and 2024 keeping the same rate for the two year period.

MANAGER'S COMMENTS

Ms. Andrews made a few announcements as follows: Public water line maintenance, hydrant flushing, October 11, rain date October 13; Leaf collection begins on October 24; .Two trunk or treat events; Halloween Trick or Treat, October 31, 6 to 8 pm; S. King, 4991 Church Road, West Sadsbury Township, Conditional Use hearing, October 11.

Ms. Andrews read aloud her monthly report and responded to questions. Fraud continues with positive pay working well. Ms. Andrews said DEP performed a MS4 inspection, our first MS4 inspection, in September. All went well. No suggestions were made. DEP asked that we remind the residents to discharge their pool water into the grass, not in the storm sewer system. This was included in our October newsletter.

MAYOR'S COMMENTS – Mayor Hodorovich said the DiAtglen Alley Wizard Faire was cancelled due to Storm Ian. There was another Valley Avenue speeding complaint he is working on with the Christiana Police Department. Fifteen red bud trees are on the order list. The Mayor will discuss with the local tree vendor if he can make an exception to the minimum requirement. The Mayor set up a tent at Community Day and participated in the pie eating contest. Two new police officers were sworn in. The Mayor spoke about the anonymous in-home business complaint and asked Council to take into consideration the benefits to the community. There was a discussion on having Christiana Police Department do more traffic enforcement.

COUNCIL MEMBER COMMENTS –

George Stewart asked the Borough to set up traffic safety cones along Valley Avenue on Halloween evening to slow down traffic. Ms. Andrews thanked Mr. Stewart for the reminder.

PUBLIC COMMENTS – No comments

EXECUTIVE SESSION

President Palmer called for the first of two Executive Sessions at 10:18 pm. At 10:50 pm Council reconvened.

RECONVENED, PUBLIC MEETING AFTER FIRST EXECUTIVE SESSION

Glick/Stewart made a motion to give a net \$ 100 holiday bonus with the November pay to the Borough Manager, Public Works Manager, Laborer II, and Laborer I Certified Operator. All members were in agreement, 5 to 0.

Hahn/Palmer made a motion to approve the following wage/bonus increases effective January 1, 2023: 5% for the Borough Manager, \$ 4000 for the Public Works Manager, 5% for the Laborer II, and 60 cents for the Laborer I Certified Operator. All members were in agreement, 5 to 0.

Brian Hahn left the meeting and Borough Hall at 10:52 pm. Mr. Hahn did not participate in the second Executive Session, nor was he present when the meeting reconvened into public session after the second Executive Session.

Mr. Palmer called for the Second Executive Session at 10:52 pm. At 11:03 pm Council reconvened.

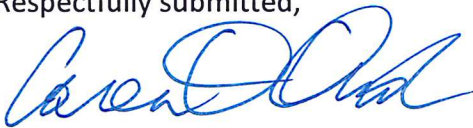
RECONVENED, PUBLIC MEETING AFTER SECOND EXECUTIVE SESSION

Glick/Stewart made a motion to give a net \$ 100 holiday bonus with the November pay to the Administrative Assistant. All members were in agreement, 4 to 0, as follows: Aye: McClay, Stewart, Palmer, Glick.

Glick/Stewart made a motion to approve the 5% wage increase for the Administrative Assistant effective January 1, 2023. All members were in agreement, 4 to 0, as follows: Aye: McClay, Stewart, Palmer, Glick.

ADJOURNMENT – McClay/Stewart made a motion to adjourn the meeting at 11:05 pm. All members were in agreement, 4 to 0.

Respectfully submitted,



Caren D. Andrews
Borough Manager/Secretary