**New Buffalo Borough Meeting Minutes**

**June 13, 2011**

**Call to Order**

President Ted Engle called the meeting of New Buffalo Borough Council to order at 7:42 p.m. on

June 13, 2011 in the New Buffalo United Methodist Church.

**Roll Call**

Present were council members: Ted Engle, Dave Lesher, Dale Peterson, and John Johnson. Absent was Paul Krieger.

The following persons were also present: Janice Crouse, Jim Kello, Sally Lesher, Mike Holler, Dan Balthaser, Jason Foster, and Michael Foster.

**Reading of last month’s minutes**

The minutes from May 19, 2011 were read. Upon motion of Dale Peterson, seconded by John Johnson, none opposed, the minutes were approved.

**Comments From Visitors**

Mike Foster presented his plans for building a house above the playground/borough building. It will be a one story with no basement. Council explained that Mr. Foster would have to pay for the entire fee of the lateral, approximately $2500.00, and these fees would need to be paid upfront. Mr. Foster stated he understood that. Dale Peterson asked how the drainage would be

addressed and how do we know that all regulations and rules of Perry County will be abided by?

Mr. Foster explained that Glenn Smithgall would put up a barrier during construction to help alleviate a lot of drainage into the playground and that he feels Mr. Smithgall is very knowledgeable on all rules and regulations of Perry County.

The Council explained that they feel that Mr. Foster is obligated to pay the overdue rental fee on the borough house; Mr. Foster explained he feels he met his one year lease obligation and he should not be liable for the overdue rental fees. Ted Engle will check with Bill Bunt to see if Mr. Foster has an obligation or not to pay these fees.

Mr. Foster was given a copy of pending ordinance 01-2011 and all letters the borough sent to him regarding delinquent fees on the rental house.

Mr. Foster asked for permission to start the building process. The Council granted **approval pending,** if compliance with all BOCA codes are met, approval with county meeting all regulations, and the Borough needs documentation from county and attorney.

Upon motion of David Lesher, seconded by Dale Peterson, all approved.

**Treasurer’s Report**

Upon motion of Dale Peterson, seconded by John Johnson, none opposed, the Treasurer’s Report was approved as presented.

**Unfinished Business**

Dan Balthaser stated he would check into a drop box for Sewer payments from Hershock’s.

**Sewage/Sewage Authority Report**

Jim Kello stated that Borough needs approximately $110,000.00 to pay off LOC with Orrstown. That is his first objective to obtain the funds to do this.

Jim is trying to see if he can get the database turned over to his office to make the process of requesting funds etc. much easier and a smoother transition.

The last bill from Gutelius should be approximately $39,000.00 – that is the retainage we held back.

Jim Kello will ask for more itemization on the 3 new Sweetland bills for Borough to look over.

Jim will also research to see what percentage the Borough can charge for late payments.

Jim is working with PennVest for a $21,000.00 encumbrance. There will also be approximately $5,006.00 left over from DCED which will go to paying off the LOC.

Jim feels we would end up needing anywhere from $33,000.00 to $54,000.00, he will not know until he is able to meet with PennVest in July.

Dan Balthaser stated he takes an issue with the response of him paying for a soil sample to be analyzed. He does not feel he should be responsible to pay for the testing of the soil sample. He had made two piles of stones for Gutelius to remove from his property that were over the two inch in diameter that is the contract normal. Ted Engle stated that what Dan received was per the book of standards and it was per specs. Dan stated that Ted should represent the Borough more diligently in these issues and all he is asking is that two loads of topsoil are added two inches deep and he will be happy. He would like Gutelius and someone from the Borough council to come look at his property to see what he is talking about. Dan would like a number to call Andy Beaver to go over these things with him. Ted stated he would get him that number.

Dan Balthaser stated that his vent pipe come out of the ground at an angle and it is very loose. Janice Crouse stated her vent pipe had suds coming out of it, and John Johnson stated his vent pipe is also loose and unattached. Ted will call Andy Beaver to discuss these issues with him to determine what, if anything can be done.

On Monday, June 27th the hearing for the Ulrich’s not paying for their sewer bill or their bill from Sweetland, that they agreed to pay is set. As of this date, no payments or contact of any kind were received from the Ulrich’s to any member of Council or the Secretary.

Secretary will send out letters to all homeowners with a copy of the complaint form for the Sewer Project. All complaints will be reviewed by Council for determination if a legitimate complaint. All complaints must be into the Borough by June 30, 2011.

Ted Engle stated he received an email from Independent Auditor Report, Jim stated that Sweetland will provide all into to CPA on t his issue.

**PCCOG**

Dan Balthaser wanted to know how will the Borough know if/when a building inspector has inspected a new build, will we be informed before a new build? Secretary will call and check with PCCOG to see how this is handled.

**Beautification Committee**

Nothing new to report.

**Street Committee**

Dale Peterson and Mike Holler will research to see if there is a way we can take off the macadam and leave the concrete alone, with patching up any major holes. The concrete seems to be in good shape and is lasting longer than the macadam. Mike Holler made some repairs to Mill Street.

**Refuse Coordinator**

Nothing to report.

**Playground**

Mike Holler and Dale Peterson stated that they would see if they could finish the fencing around the entire playground to make sure it is entirely fenced in around the back

**Ordinance Violations**

Ordinance #02-2011 – Act 32 – Tabled.

Ordinance #01-2011 – Tabled

Truck along front street is still parking there and at times, blocking traffic. Dan Balthaser stated he spoke to owner of property and owner is not concerned.

There is an issue with parking on front street in front of Emory Holler property. Gettle’s seem to park along the front of Emory’s and Mike Holler’s property instead of their own, thereby making no room for those residents to park. Emory had to place large rocks along his property as Gettle’s vehicle was leaking oil and it was going into their well.

Gettle’s will not take care of the stump issue in front of their own property so that they can adequately park there. Ted Engle proposed the borough consider a no parking at all along front street.

The trailer on Gettle’s property cannot be made into a permanent structure.

**Barriers – Along Front Street**

Nothing new to report.

**Rental**

Mike Holler let Council know that he and Emory have been doing many things to help clean up and repair the rental property. They have been working for more than three weeks to repair the roads, grass mowed, trimmed trees, cleaned the gutters and downspouts, bagged up all plaster placed in dumpster, swept house, removed kitchen cabinets, took blocks off chimney and capped, removed furnace, cemented holes, fixed basement steps. Mike reports that the basement is wet and asked council if a dehumidifier could be purchased. Council voted to buy a dehumidifier under $250.00 for rental property. Dale Peterson motioned, and John Johnson seconded, all in favor – none opposed. Dale Peterson stated that he would purchase the dehumidifier and give Secretary the receipt for reimbursement. Ted Engle also suggested we give Emory Holler a monetary gift for all his hard work. Council voted to give a gift of $250.00. John Johnson motioned, Dale Peterson seconded, all in favor, none opposed.

**New Business**

Janice Crouse informed council that the bill for the website will be due soon. It is approximately $99.25 and she will make sure that the Borough gets an invoice or bill when they receive it. Borough voted to pay the website bill and to keep the website up and running. Dale Peterson motioned, and John Johnson seconded. All in favor none opposed.

Thomas Kendall wanted to see if he can cut down the tree in front of his property. Council agreed that he could as long as he signed a paper stating he would not hold the borough responsible for any problems, issues, or accidents.

Secretary will place an ad in the local paper advertising the units Borough has for rent at the Sewer Plant.

**Bills**

Upon motion of Dale Peterson, seconded by John Johnson, all in favor, none opposed. the bill list was approved for payment.

**Adjourn**

Upon motion of John Johnson, seconded by Dale Peterson, council adjourned at 10:15 p.m.

Respectfully submitted by Patricia A Raudensky Bierma

Secretary/Treasurer