

President Gerken convened the meeting of Hanover Borough Council on Tuesday Evening, November 25, 2014, 7:00 PM, in the Hanover Municipal Building, 44 Frederick Street, Hanover, Pennsylvania as advertised.

The meeting began with the Pledge of Allegiance to the Flag of the United States of America, followed by a moment of silence.

On roll call the following answered as present: Mr. Eline, Mr. Funke, Mr. Gerken, Mr. Marcoccio, Mr. Morris, Mr. Reichart, Mr. Roth and Mrs. Yingling; Mayor Adams; Attorney Matthew Guthrie sitting in for Solicitor Yingst; Manager Krebs and Secretary Miller. Mr. McLin and Mrs. Griffin were absent.

It was moved by Mr. Roth, seconded by Mr. Morris to approve the minutes of Hanover Borough Council from October 29, 2014 as presented. Motion carried.

It was moved by Mr. Reichart, seconded by Mr. Eline to approve the bills, the report of the Mayor and the report of the Fire Chief. Motion carried.

It was moved by Mr. Morris, seconded by Mr. Roth to approve the reports of the following Borough Administrators:

- a.) Borough Manager
- b.) Supervisor of Public Works
- c.) Superintendent of Wastewater Treatment
- d.) Supervisor of Water Treatment Plant
- e.) Supervisor of Water Distribution
- f.) Supervisor of Water Meter Department
- g.) Engineering Department
- h.) Library Co-Directors

Motion carried.

President Gerken noted a meeting was held regarding the Fire Contract Negotiations on November 10th at 1:00 PM.

MAIN STREET UPDATE: Mr. Blanda Nace, Main Street Hanover Senior Manager, Economic Development/York County Economic Alliance was present to give Council and citizens a progress update on the Main Street program. Two (2) quarterly "Strategic Doing" meetings were held. The Hanover Regional Economic Development Plan was recently completed which includes Penn Township in York County, and McSherrystown Borough and Conewago Township in Adams County. Mr. Nace noted this is the first an economic development plan has crossed county lines. A Facebook page was created. The Commonwealth supports municipalities working together and reporting jointly. Adding the Geotrail was a great success bringing many visitors to our area. The Business Retention Expansion Program (BREP) approaches companies to offer assistance and referrals for problem solving for business needs. Meetings were held with the Pennsylvania Department of Transportation (PennDOT) regarding the proposed bypass route. A public hearing for the Joint Comprehensive Plan between Hanover Borough and Penn Township will be held Wednesday, December 17th at 7:00 PM in the Hanover Borough Council Chamber. The Zoning ordinance revision is a goal for next year. There are two (2) pending grants with the Department of Community and Economic Development (DCED) – a façade grant in the amount of \$40,000 and a \$10,000 planning grant. Mr. Eline noted that all downtown business should be notified to apply for the grants if we receive the funding for same. The reconstruction by Columbia Gas is not interfering with the Christmas activities. The art piece should be installed in the next two (2) weeks at the Baltimore Street parking lot. The unveiling of the art piece will occur on the second Saturday of December. Main Street is working with the redevelopment of various buildings in the downtown. The "Christmas Tree Wars" is a new program this year in which businesses place a Christmas tree in their front window to compete for recognition. The Leverage assets are \$97,900 since October 2013, an increase of \$60,300 from last year. President Gerken asked about the status of 219 Baltimore Street. Mr. Nace stated that there is possible Federal Funding, but the Department of Housing and Urban Development (HUD) requires endorsement that the project will result in the use by low to moderate income; the funding is heavily restricted. Rabbit Transit is still considering the use of the property and they are trying to acquire funding.

CITIZENS WITH ITEMS OF BUSINESS TO BE BROUGHT BEFORE COUNCIL

Mr. Raymond Smith, 50 South Street, Hanover, PA asked Council to consider eliminating the no parking requirement and no parking signs on St. Vincent's Lane - the alley from Third Street to South Street next to the school since it has been closed for four (4) years. He also asked Council to consider eliminating the crosswalk on South Street and related signs for the crosswalk. This would open up more parking for the residents in the area, and eliminate parking fines. Manager Krebs stated that Council is currently considering this request.

Mr. Eline and Mr. Gerken thanked Mr. Smith for his request this evening.

REPORTS OF THE STANDING COMMITTEES

Finance & Personnel Committee – Mr. Roth

It was moved by Mr. Roth, seconded by Mr. Eline to ratify the action of the Borough Officers in making the following investments with Members First Federal Credit Union for a period of 28 days, from October 31, 2014 to November 28, 2014 at an interest rate of 0.20%:

<u>Funds</u>	<u>Investments</u>
General Fund	\$2,798,619.08
Bicentennial Fund	\$1,380.92
Sewer Fund	\$700,000.00
Guthrie Memorial Library Fund	\$0.00
Regional Wastewater Treatment Fund	\$175,500.00
Market House Fund	\$4,800.00
Liquid Fuels Fund	\$3,100.00
Equipment Fund	\$79,200.00
Local Services Tax Fund	\$270,300.00
Business Privilege Tax Fund	\$130,100.00
Brier Memorial Fund (Library)	\$11,490.00
Leisure Services Fund	\$43,700.00
Old Hanover Videos Fund (Library)	\$970.00
Sewer Projects Fund	\$0.00
Library Projects Fund	\$95,100.00
Hanover Recreation Endowment Fund	\$296,500.00
Water Revenue Fund	\$1,050,000.00
Water Projects Fund	\$186,500.00
Market House Reserve Fund	\$5,660.34
Hanover Recreation Reserve Fund	\$12,683.32
Library Endowment Fund	\$848,376.06
2010 Water Bonds	\$125,000.00

REPORTS OF THE STANDING COMMITTEES

Finance & Personnel Committee – Mr. Roth

<u>Funds</u>	<u>Investments</u>
2013 Water Bonds	\$6,650,000.00
2013 Sewer Bonds	\$200,000.00
2013 General Bonds	\$170,000.00
Total	<u>\$13,861,106.04</u>

Motion carried.

It was moved by Mr. Roth, seconded by Mr. Funke to approve Ordinance No. 2204 entitled “**AN ORDINANCE LEVYING TAXES FOR THE FISCAL YEAR 2015 IN THE BOROUGH OF HANOVER AND FIXING COLLECTION RATES THEREON.**” On roll call, the following voted in favor of the motion: Mr. Eline, Mr. Funke, Mr. Gerken, Mr. Marcoccio, Mr. Morris, Mr. Reichart, Mr. Roth and Mrs. Yingling. The motion passed 8 in favor of and none in opposition to the motion. Motion carried.

It was moved by Mr. Roth, seconded by Mr. Eline to accept the following budgets as presented at the November 19, 2014 Finance & Personnel Committee to be placed on public display in December 2014 as required for a period of ten (10) days (*noting that the budgets for Equipment, Market House, Library, LST, BPT, Sewer, Hanover Leisure Service were previously recommended by the Finance & Personnel Committee*):

- a.) Water Revenue Fund
- b.) Liquid Fuels Fund
- c.) General Fund

Motion carried.

It was moved by Mr. Roth, seconded by Mr. Funke to direct advertisement of the proposed 2015 Budgets, representing a 0.15 Mill Tax Increase are to be opened for public inspection Monday December 1, 2014 through Friday, December 12, 2014 in the Office of the Borough Secretary, 44 Frederick Street, Hanover, Pennsylvania, 8:00 AM – 4:30 PM, Monday through Friday. Motion carried.

It was moved by Mr. Roth, seconded by Mr. Funke to approve the advertisement of the “Sunshine Bill” in accordance with the Act of October 15, 1998, P.L. 729, No. 93, Sec. 1, 65 Pa. C.S. Sec. 701, et seq., listing the public meetings of boards or commissions of The Borough of Hanover for the 2015 calendar year. Motion carried.

It was moved by Mr. Roth, seconded by Mr. Funke to approve Ordinance No. 2205 entitled **AN ORDINANCE OF THE BOROUGH OF HANOVER, YORK COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES, CHAPTER 62, ARTICLE II, ENTITLED BOROUGH OF HANOVER EMPLOYEES PENSION PLAN IN ORDER TO COMPLY WITH THE STATE LAWS AND REGULATIONS IN EFFECT AS OF MAY 20, 2014.** On roll call, the following voted in favor of the motion: Mr. Eline, Mr. Funke, Mr. Gerken, Mr. Marcoccio, Mr. Morris, Mr. Reichart, Mr. Roth and Mrs. Yingling. The motion passed 8 in favor of and none in opposition to the motion. Motion carried.

It was moved by Mr. Roth, seconded by Mr. Funke to approve Ordinance No. 2206 entitled **AN ORDINANCE OF THE BOROUGH OF HANOVER, YORK COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES, CHAPTER 62, ARTICLE IV, ENTITLED POLICE PENSION PLAN IN ORDER TO COMPLY WITH THE STATE LAWS AND REGULATIONS IN EFFECT AS OF MAY 20, 2014.** On roll call, the following voted in favor of the motion: Mr. Eline, Mr. Funke, Mr. Gerken, Mr. Marcoccio, Mr. Morris, Mr. Reichart, Mr. Roth and Mrs. Yingling. The motion passed 8 in favor of and none in opposition to the motion. Motion carried.

It was moved by Mr. Roth, seconded by Mr. Funke to approve Ordinance No. 2207 entitled **AN ORDINANCE OF THE BOROUGH OF HANOVER, YORK COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES, CHAPTER 62, ARTICLE III, ENTITLED FIRE DRIVERS’ PENSION PLAN IN ORDER TO COMPLY WITH THE STATE LAWS AND REGULATIONS IN EFFECT AS OF MAY 20, 2014.** On roll call, the following voted in favor of the motion: Mr. Eline, Mr. Funke, Mr. Gerken, Mr. Marcoccio, Mr. Morris, Mr. Reichart, Mr. Roth and Mrs. Yingling. The motion passed 8 in favor of and none in opposition to the motion. Motion carried.

REPORTS OF THE STANDING COMMITTEES

Finance & Personnel Committee – Mr. Roth

It was moved by Mr. Roth, seconded by Mrs. Yingling to approve the Contract with the Greater Hanover Professional Firefighters Association IAFF Local #2045 AFL-CIO-CLC for the years 2015, 2016 & 2017, setting wage increases at 2 1/2 % for each year. Mr. Eline voted in opposition to the motion. Motion carried.

It was moved by Mr. Roth, seconded by Mr. Funke to authorize the proper officers of The Borough of Hanover to enter into an agreement with Zambelli Fireworks, New Castle, PA for provision of fireworks for the annual July 4th Liberty Day Celebration, for 2015, 2016 and 2017, at a rate of \$11,000 per year, with the addendum allowing 60 days prior right of cancellation, with no penalty fees incurred, should the Moul Field location become unavailable to the Borough for this event. Motion carried.

It was moved by Mr. Roth, seconded by Mrs. Yingling to enter into an amended agreement with the York County Library System and the Hanover Library Board of Governors for the provision of administration, management and fund raising support for the Guthrie Memorial Library through December 31, 2016. Motion carried.

It was moved by Mr. Roth, seconded by Mr. Reichart to approve Resolution No. 1083 entering into the Municipal Continuing Disclosure Cooperation Initiative with the Securities and Exchange Commission (SEC) and authorizing the filing of a "self-report" questionnaire for all publicly offered bonds within the past five (5) years. Motion carried.

It was moved by Mr. Roth, seconded by Mr. Funke to grant sewer billing credits, one time only, due to leaks that did not enter the sanitary sewer system and have since been repaired for the following accounts:

<u>Account No.</u>	<u>Name & Address</u>	<u>Amount of Sewer Credit</u>
a.) 51-0201970-0	Mr. and Mrs. Evan Batts 404 Broadway	\$337.50
b.) 51-0121911-0	Heidi Bosserman 415 Baltimore Street	\$141.05

Motion carried.

It was moved by Mr. Roth, seconded by Mr. Funke to approve the request of property owner Mr. LaVon R. Leppo for relief of increased water billing charges in the amount of \$91.22 caused by tenant's intentional abuse of the water service at his rental property at 601 Meade Avenue in Penn Township. Motion carried.

It was moved by Mr. Roth, seconded by Mr. Reichart to authorize 2014 Real Estate Tax Collector Leroy Wentz, 217 Frederick Street, Hanover, PA to credit the following amounts of miscellaneous corrections per the York County Tax Assessment Office report dated as follows:

<u>Date</u>	<u>Credit</u>	<u>Tax Year</u>
10/30/2014	\$2.23	2014

Motion carried.

It was moved by Mr. Roth, seconded by Mr. Reichart to charge 2014 Real Estate Tax Collector Leroy Wentz, 217 Frederick Street, Hanover, PA with the collection of additional Real Estate tax per the York County Tax Assessment Office report dated as follows:

<u>Date</u>	<u>Credit</u>	<u>Tax Year</u>
10/30/2014	\$1,576.88	2014

Motion carried.

It was moved by Mr. Roth, seconded by Mr. Funke to enter into a right of way agreement with Columbia Gas for the York Street Parking lot, York County Tax Parcel No. 67-000-04-0612.00-00000 for a permanent gas line easement. Motion carried.

REPORTS OF THE STANDING COMMITTEES

Planning & Traffic Committee – Mr. Morris

It was moved by Mr. Morris, seconded by Mr. Roth to approve the request of Mummert Enterprises, 8 Stuart Avenue, Hanover, PA, for the Cherry Tree Phase IV Development plan drawn by Reginald F. Baugher, PLS, Hanover Land Services, Hanover, PA dated July 28, 2011, last revised February 23, 2012, bearing job #6040, approved by Hanover Borough Council September 28, 2011, for extension of filing and recording said plan until June 12, 2015. Motion carried.

MAYOR'S REPORT

Mayor Adams wished everyone a Happy Thanksgiving and invited all to the Santa Parade at 8:30 AM and the Christmas Tree Lighting Ceremony at 7:00 PM, both to be held Friday, November 28th in Center Square.

VIDEO REPORT

Manager Krebs described the new construction of the hospital parking lots along Stock Street and corner of George Street and areas for the alley improvements; leaf collection crew; snowplows in place and ready to go; new roll-off truck; new sewer jet; Tanger property to be used by I & I crew and Water Department; new doors installed in police department lobby area and prescription drug take-back box; Christmas decorations on the square and Happy Thanksgiving wishes.

OTHER MATTERS

Communications

President Gerken reminded Council, staff and citizens of the following upcoming meetings:

- Wednesday, December 17th at 7:00 PM** – Joint Comprehensive Plan Public Hearing for Hanover Borough & Penn Township followed By the Finance & Personnel Committee Meeting

***Manager Krebs stated that a quorum is necessary for this hearing, if anyone cannot make it, please let Manager Krebs know.*

- Tuesday, December 23rd at 7:00 PM - Hanover Borough Council Meeting

ADJOURNMENT: It was moved by Mr. Funke, seconded by Mr. Reichart to adjourn at 7:47 PM. Motion carried.

Respectfully submitted,



Dorothy C. Miller
Borough Secretary

NO. 2204

AN ORDINANCE

AN ORDINANCE LEVYING TAXES FOR THE FISCAL YEAR 2015 IN THE BOROUGH OF HANOVER AND FIXING COLLECTION RATES THEREON.

BE IT ENACTED AND ORDAINED by The Borough of Hanover, and it is hereby enacted and ordained by the authority of the same, as follows:

SECTION 1. That a tax of 5.65 mills be, and the same is hereby levied and assessed for the fiscal year 2015 on each dollar of taxable real property and made taxable by the Commonwealth of Pennsylvania for County rates and levies.

SECTION 2. That the taxes herein levied are available for expenditures in the adopted budget or its supplements for the fiscal year 2015 as the same is set forth in the minutes of Council.

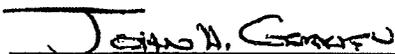
SECTION 3. That the compensation payable to the Tax Collector for the collection of taxes for the fiscal year 2015 is hereby fixed at one and twenty-five hundredths (1.25%) percent of the amount collected.

SECTION 4. That the proper officers of The Borough of Hanover be and they are hereby authorized and directed to prepare, and issue to the Tax Collector of The Borough of Hanover his warrant for the collection thereof.

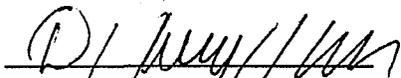
Enacted and ordained this 25th day of November, A.D., 2014.

THE BOROUGH OF HANOVER

ATTEST:

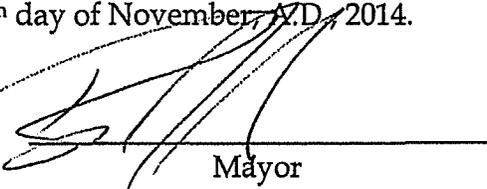


President of Council



Borough Secretary

Approved this 25th day of November, A.D., 2014.



Mayor

NO. 2205

AN ORDINANCE

AN ORDINANCE OF THE BOROUGH OF HANOVER, YORK COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES, CHAPTER 62, ARTICLE II, ENTITLED BOROUGH OF HANOVER EMPLOYEES PENSION PLAN IN ORDER TO COMPLY WITH THE STATE LAWS AND REGULATIONS IN EFFECT AS OF MAY 20, 2014.

WHEREAS, The Borough of Hanover previously established The Borough of Hanover Employees Pension Plan; and

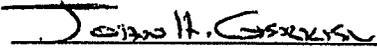
WHEREAS, The Borough of Hanover in order to continue its compliance with the state law, desires to enact an amendment to the Plan recognizing the revised definition of spouse under the laws of the Commonwealth of Pennsylvania.

NOW THEREFORE, be it ordained and enacted by The Borough of Hanover that the attached amendment to the Borough of Hanover Employees Pension Plan is enacted. Barbara A. Krebs, Borough Manager, as the agent of the Employer is authorized and directed to execute the attached amendment to the Plan.

Enacted and ordained this 25th day of November, A.D., 2014.

THE BOROUGH OF HANOVER

ATTEST:

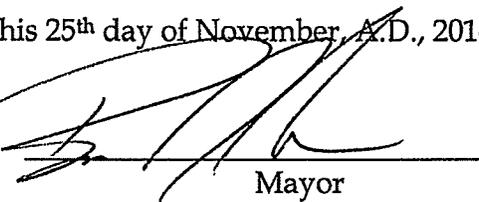


President of Council

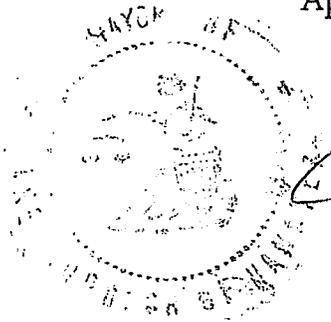


Borough Secretary

Approved this 25th day of November, A.D., 2014.



Mayor



**2014 COMPLIANCE AMENDMENT
TO
BOROUGH OF HANOVER EMPLOYEES PENSION PLAN**

As authorized by Section 9.2 of the Borough of Hanover Employees Pension Plan ("Plan") as amended and restated effective January 1, 2008, the employer, Borough of Hanover, hereby amends the Plan to comply with certain law and regulatory changes effective as of the 2013 and 2014 plan years not otherwise incorporated into the Plan. This amendment shall supersede the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this amendment. The employer hereby amends the Plan in the following manner:

FIRST: Spouse

In response to the overturning of the Defense of Marriage Act, 110 Stat. 2419, section 3 by the Supreme Court in *United States v. Windsor* and in response to the subsequent ruling in *Deb Whitewood, et al v. Michael Wolf* that 23 Pa.C.S. sections 1102 and 1704 are unconstitutional, Section 1.8(c) is amended to redefine the definition of "spouse" for purposes of the Plan. As amended, Section 1.8(c) shall read as follows:

- (c) **Spouse** means the person married to the participant at the time of the determination as evidenced by a marriage license valid under the laws of the place of issuance.

SECOND: Effective Date

This amendment is effective as of May 20, 2014.

THIRD: Remaining Plan Provisions

All other provisions of the Plan remain in full force and effect.

Executed this 25th day of November, 2014 by the duly authorized agent of Borough of Hanover.


John H. Gerken

Title: John H. Gerken, Council President

Attest: Dorothy C. Miller
Dorothy C. Miller, Secretary

NO. 2206

AN ORDINANCE

AN ORDINANCE OF THE BOROUGH OF HANOVER, YORK COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES, CHAPTER 62, ARTICLE IV, ENTITLED POLICE PENSION PLAN IN ORDER TO COMPLY WITH THE STATE LAWS AND REGULATIONS IN EFFECT AS OF MAY 20, 2014.

WHEREAS, The Borough of Hanover previously established The Borough of Hanover Police Pension Plan; and

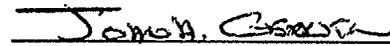
WHEREAS, The Borough of Hanover in order to continue its compliance with the state law, desires to enact an amendment to the Plan recognizing the revised definition of spouse under the laws of the Commonwealth of Pennsylvania.

NOW THEREFORE, be it ordained and enacted by The Borough of Hanover that the attached amendment to the Borough of Hanover Police Pension Plan is enacted. Barbara A. Krebs, Borough Manager, as the agent of the Employer is authorized and directed to execute the attached amendment to the Plan.

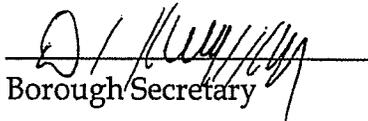
Enacted and ordained this 25th day of November, A.D., 2014.

THE BOROUGH OF HANOVER

ATTEST:

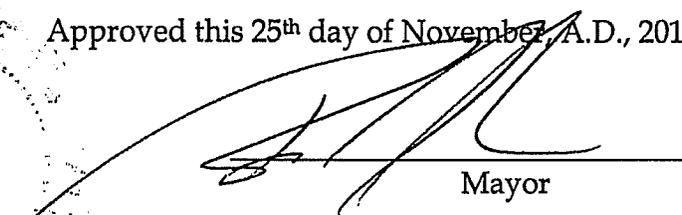


President of Council

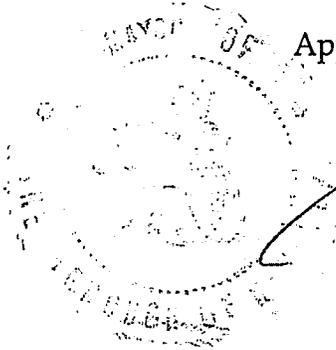


Borough Secretary

Approved this 25th day of November, A.D., 2014.



Mayor



**2014 COMPLIANCE AMENDMENT
TO
BOROUGH OF HANOVER POLICE PENSION PLAN**

As authorized by Section 9.2 of the Borough of Hanover Police Pension Plan ("Plan") as amended and restated effective January 1, 2008, the employer, Borough of Hanover, hereby amends the Plan to comply with certain law and regulatory changes effective as of the 2013 and 2014 plan years not otherwise incorporated into the Plan. This amendment shall supersede the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this amendment. The employer hereby amends the Plan in the following manner:

FIRST: Spouse

In response to the overturning of the Defense of Marriage Act, 110 Stat. 2419, section 3 by the Supreme Court in United States v. Windsor and in response to the subsequent ruling in Deb Whitewood, et al v. Michael Wolf that 23 Pa.C.S. sections 1102 and 1704 are unconstitutional, Section 1.8(c) is amended to redefine the definition of "spouse" for purposes of the Plan. As amended, Section 1.8(c) shall read as follows:

- (c) **Spouse** means the person married to the participant at the time of the determination as evidenced by a marriage license valid under the laws of the place of issuance.

SECOND: Effective Date

This amendment is effective as of May 20, 2014.

THIRD: Remaining Plan Provisions

All other provisions of the Plan remain in full force and effect.

Executed this 25th day of November, 2014 by the duly authorized agent of Borough of Hanover.



John H. Gerken

Title: John H. Gerken, Council President

Attest: Dorothy C. Miller
Dorothy C. Miller, Secretary

NO. 2207

AN ORDINANCE

AN ORDINANCE OF THE BOROUGH OF HANOVER, YORK COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES, CHAPTER 62, ARTICLE III, ENTITLED FIRE DRIVERS' PENSION PLAN IN ORDER TO COMPLY WITH THE STATE LAWS AND REGULATIONS IN EFFECT AS OF MAY 20, 2014.

WHEREAS, The Borough of Hanover previously established The Borough of Hanover Fire Drivers' Pension Plan; and

WHEREAS, The Borough of Hanover in order to continue its compliance with the state law, desires to enact an amendment to the Plan recognizing the revised definition of spouse under the laws of the Commonwealth of Pennsylvania.

NOW THEREFORE, be it ordained and enacted by The Borough of Hanover that the attached amendment to the Borough of Hanover Fire Drivers' Pension Plan is enacted. Barbara A. Krebs, Borough Manager, as the agent of the Employer is authorized and directed to execute the attached amendment to the Plan.

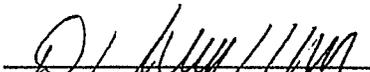
Enacted and ordained this 25th day of November, A.D., 2014.

THE BOROUGH OF HANOVER

ATTEST:

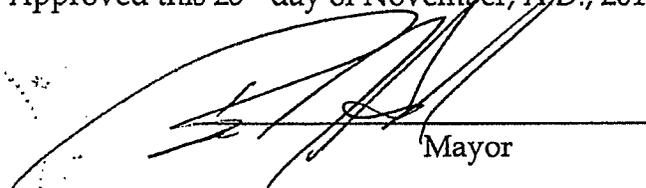


President of Council



Borough Secretary

Approved this 25th day of November, A.D., 2014.



Mayor



**2014 COMPLIANCE AMENDMENT
TO
BOROUGH OF HANOVER FIRE DRIVERS' PENSION PLAN**

As authorized by Section 9.2 of the Borough of Hanover Fire Drivers' Pension Plan ("Plan") as amended and restated effective January 1, 2008, the employer, Borough of Hanover, hereby amends the Plan to comply with certain law and regulatory changes effective as of the 2013 and 2014 plan years not otherwise incorporated into the Plan. This amendment shall supersede the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this amendment. The employer hereby amends the Plan in the following manner:

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SECOND: Effective Date

This amendment is effective as of May 20, 2014.

THIRD: Remaining Plan Provisions

All other provisions of the Plan remain in full force and effect.

Executed this 25th day of November, 2014 by the duly authorized agent of Borough of Hanover.



John H. Gerken

Title: John H. Gerken, Council President

Attest: D. Miller
Dorothy C. Miller, Secretary