

President Gerken called the meeting of Hanover Borough Council to order on Monday Evening, December 23, 2013, 7:30 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. Connor, Mr. Eline, Mr. Funke, Mr. Gerken, Mrs. Griffin, Ms. Hormel, Mr. McLin, Mr. Morris and Mrs. Yingling; Mayor Adams; Solicitor Yingst; Manager Krebs and Secretary Miller. Mr. Hufnagle and Junior Councilman Sheaffer were absent.

It was moved by Mr. Eline, seconded by Mr. Funke to approve the minutes of the following Council Meetings:

- (a) November 26, 2013
- (b) December 11, 2013

Motion carried.

It was moved by Mr. Funke, 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. Eline, seconded by Mrs. Yingling to approve the reports of the following Borough Administrators:

- a.) Borough Manager
- b.) Supervisor of Public Works
- c.) Superintendent of Wastewater Treatment
- d.) Superintendent of Water Department
- e.) Supervisor of Water Treatment Plant
- f.) Supervisor of Water Distribution
- g.) Infiltration & Inflow Crew
- h.) Engineering Department
- i.) Library Director

Motion carried.

• **PUBLIC HEARING – Proposed Zoning Ordinance Amendment**

Mr. Zach Steckler, Hanover Borough Engineering Department summarized the changes in the proposed zoning ordinance amendment:

- 3 Additional Definitions including: Apartment; Efficiency; Baking Unit; and Cooking unit;
- Change of definition of Habitable Floor Area to exclude hallways and specifying ceiling height;
- Section 149-19 is changed to exclude number of rooms stipulated; minimum square footage is increased from 300 square feet to 400 square feet.

Mr. John Hollinger, 5 Holly Court stated he does not feel the definition of “efficiency apartment” in the proposal is specific enough. He noted that the number of rooms defining an efficiency apartment was removed in section 140-19. He contended that it is universal that an efficiency apartment is described as one room with a bathroom, and with the additional 100’ of habitable floor area it would be conceivable to include additional occupants. He asked with the proposed changes how the ordinance differentiates a regular apartment from an efficiency apartment.

Manager/Zoning Officer Krebs and Mr. Steckler responded that the difference in the proposed ordinance amendment is in the amount of square footage which is below seven hundred twenty (720) square feet in an efficiency apartment. An efficiency unit can be built in any residential district except R-6. The proposed changes are based on comparison with other

- **PUBLIC HEARING – Proposed Zoning Ordinance Amendment**

local municipal zoning ordinance definitions of an efficiency apartment, i.e., Penn Township, the definition listed in Webster's Dictionary and referencing the Uniform Construction Code.

Mr. Hollinger stated his opposition to removing the number of rooms and the number of occupants allowed in the definition of an efficiency apartment.

There was discussion among Council and Solicitor Yingst to table the proposed zoning amendment for consideration at a future meeting, and further define an efficiency apartment to include number of rooms, one being a bathroom; to specify a limit of two (2) occupants; and to specify a limitation of square footage to be a minimum four hundred (400) and maximum of seven hundred twenty (720) square feet; the possibility of retaining the current definition of an efficiency apartment was also discussed.

CITIZENS WITH ITEMS OF BUSINESS TO BE BROUGHT BEFORE COUNCIL

None was presented.

REPORTS OF THE STANDING COMMITTEES

Finance & Personnel Committee – Mr. McLin

Mr. McLin read the following statement:

"I would like to invite the public to the Finance & Personnel meeting scheduled for January 15, 2014, at 7:00 PM. The first item on the agenda will be a full discussion of the Wetlands Nature Park Trail. The Borough has been awarded a \$133,000 State Grant and a \$54,500 County Grant for the project. While it is true that I voted to apply for the grant early in 2013 I regret that decision. We applied for that grant with very little public input to avoid missing the application. Since that time we have heard many citizens say they do not want the project implemented. In addition, we were forced to raise property taxes again in 2014 despite the efforts of Council and the Budget Review Committee to prevent a second consecutive increase. There is no money for maintenance, security, or other hidden costs in our 2014 budget for the Wetlands Nature Trail. I am skeptical that we can raise \$78,500 from private donors necessary to meet the local match requirements of the grant funds. At a recent Finance Committee meeting, there was discussion about waiting for a public hearing regarding the Penn Hanover Borough Comprehensive Plan, because the Wetlands Nature Park Trail was in the plan. There is no public information regarding the Wetlands Nature Trail Park published on the Comprehensive Plan website. In fact the updates stopped at the June 24th meeting. To quote the website regarding public input into the Plan: 'Does my opinion matter? Where can my voice be heard? Yes, citizen participation is important to ensure that the plan directs change that will benefit citizens. Residents will see updates in their municipal newsletters, and press releases will precede each public meeting. Formal opportunities for input include: A mid-point public meeting in Fall 2013; a Draft Plan open house in the late 2013/early 2014; a public meeting on the draft Joint Plan in early 2014; a public hearing on the draft plan later in 2014'. As of today there have been no public meetings or open houses scheduled. No information on any of the meetings after June has been published. The Borough cannot wait for comprehensive plan meetings to get input on the Wetlands Nature Trail. Until all aspects of the project are known to the Council and public I will do whatever I can to stop this seven tenths of a mile trail to nowhere. Therefore, I am formally requesting a full public hearing on the Wetlands Natures Trail at 7:00 PM on January 15, 2014 at the Finance & Personnel meeting."

President Gerken stated that a hearing will be held relative to the Joint Comprehensive Plan as planned, and there will not be a public hearing at the Finance Meeting on January 15th; in fact it is a Public Service Committee issue and does not fall under the Finance Committee.

Manager Krebs noted that all items from the Joint Comprehensive Plan meetings were distributed to Council members after each of the meetings to keep them fully aware of all progress and discussion. The public hearing is anticipated to be in February or March 2014.

Mr. Eline emphasized the need to hear from those citizens who are in support of the project as well; and assured all citizens that he is in support of a public hearing before moving forward. Mr. Morris also indicated his support of a public hearing before any decision is made to move forward with the project.

REPORTS OF THE STANDING COMMITTEES

Finance & Personnel Committee – Mr. McLin

It was moved by Mr. McLin, seconded by Mr. Funke to approve Resolution No. 1065 adopting budgets for fiscal year 2014 for all Hanover Borough accounts and general fund budget, representing a tax increase of 0.5 mills. On roll call, the following voted in favor of the motion: Mr. Connor, Mr. Eline, Mr. Funke, Mr. Gerken, Mrs. Griffin, Mr. Morris and Mrs. Yingling; Voting in opposition were Ms. Hormel and Mr. McLin. The motion passed with 7 in favor of and 2 in opposition to the motion.

It was moved by Mr. McLin, seconded by Ms. Hormel to adopt Resolution No.1066 fixing pay of special policemen, laborers, and certain supervisory employees effective January 1, 2014. Motion carried.

It was moved by Mr. McLin, seconded by Mrs. Yingling to adopt Ordinance No. 2200 entitled: **AN ORDINANCE AMENDING ORDINANCE NO. 601 ENTITLED “AN ORDINANCE FIXING SALARIES, COMPENSATION, BONDS, AND CERTAIN DUTIES OF BOROUGH OFFICIALS.”** On roll call the following voted in favor of the motion: Mr. Connor, Mr. Eline, Mr. Funke, Mr. Gerken, Mrs. Griffin, Ms. Hormel, Mr. McLin, Mr. Morris and Mrs. Yingling. There were no votes in opposition to the motion. Motion carried.

It was moved by Mr. McLin, seconded by Mr. Funke to adopt Resolution No. 1067 establishing a policy to credit sewer accounts for leaks which did not enter the sewer system. Motion carried.

It was moved by Mr. McLin, seconded by Mrs. Yingling to approve a write-off of the following checks and their filing with the District Attorney's Office for collection due to insufficient funds:

<u>Name</u>	<u>Check No.</u>	<u>Amount</u>
Lisa A. Rufalo	Check #971	\$ 36.66
Jay T. Howard	Check #52	\$ 65.71
Harry J. Shaffer	Check #101	\$ 41.38

Motion carried.

It was moved by Mr. McLin, seconded by Ms. Hormel to authorize the proper officers of The Borough of Hanover to amend and finalize the 2012-2013 contract with Hydro-Terra Group for expenses incurred in the amount of \$9,292.08 for consulting with the Department of Environmental Protection to finalize a plan for monitoring the residential wells potentially impacted by water migration on the Black Rock landfill site. Motion carried.

Planning & Traffic Committee – Mr. Funke

It was moved by Mr. Funke, to adopt Ordinance No. 2201 entitled **AN ORDINANCE AMENDING ORDINANCE NUMBER 1110 ENTITLED “AN ORDINANCE REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THEIR CONSTRUCTION, ALTERATION, EXTENSION, REPAIR, MAINTENANCE AND ALL FACILITIES AND SERVICES IN OR ABOUT SUCH BUILDINGS AND STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LANDS FOR TRADE, INDUSTRY, RESIDENCE, OR OTHER PURPOSES; ESTABLISHING AND MAINTAINING BUILDING LINES AND SET-BACK LINES UPON ALL STREETS, PUBLIC ROADS, OR HIGHWAYS; ESTABLISHING DISTRICTS AND BOUNDARIES THEREOF FOR SAID PURPOSES WITHIN THE BOROUGH OF HANOVER; PROVIDING FOR THE APPOINTMENT OF A ZONING HEARING BOARD AND SETTING FORTH THE DUTIES AND FUNCTIONS OF SAID BOARD; AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS ORDINANCE AND PENALTIES FOR THE VIOLATION THEREOF.”** The motion died for lack of a second.

An amended motion was made by Mr. Funke, seconded by Mrs. Griffin to table Ordinance No. 2201 entitled **AN ORDINANCE AMENDING ORDINANCE NUMBER 1110 ENTITLED “AN ORDINANCE REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THEIR CONSTRUCTION, ALTERATION, EXTENSION, REPAIR, MAINTENANCE AND ALL FACILITIES AND SERVICES IN OR ABOUT SUCH BUILDINGS AND STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE**

REPORTS OF THE STANDING COMMITTEES

Planning & Traffic Committee – Mr. Funke

LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LANDS FOR TRADE, INDUSTRY, RESIDENCE, OR OTHER PURPOSES; ESTABLISHING AND MAINTAINING BUILDING LINES AND SET-BACK LINES UPON ALL STREETS, PUBLIC ROADS, OR HIGHWAYS; ESTABLISHING DISTRICTS AND BOUNDARIES THEREOF FOR SAID PURPOSES WITHIN THE BOROUGH OF HANOVER; PROVIDING FOR THE APPOINTMENT OF A ZONING HEARING BOARD AND SETTING FORTH THE DUTIES AND FUNCTIONS OF SAID BOARD; AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS ORDINANCE AND PENALTIES FOR THE VIOLATION THEREOF.” On roll call, the following voted in favor of the motion: Mr. Connor, Mr. Eline, Mr. Funke, Mr. Gerken, Mrs. Griffin, Ms. Hormel, Mr. McLin, Mr. Morris and Mrs. Yingling. There were no votes in opposition to the motion. Motion carried.

MAYOR’S REPORT

Mayor Adams thanked all Borough employees for their hard work this year and looks forward to working with everyone in the upcoming year. He wished all present a Merry Christmas.

OTHER MATTERS

New Business

It was moved by Mr. Funke, seconded by Mr. Eline to acknowledge and accept with regret the following Hanover Borough employee retirements effective January 3, 2014:

<u>Name</u>	<u>Position(s) Held</u>	<u>Hire Date</u>
Mr. Edward Reed	Assistant Manager Supt. of Water & Wastewater Treatment Supervisor of Wastewater Treatment Plant	March 25, 1974
Mrs. Judy Leese	General Office Clerk	February 28, 2000

Motion carried.

Communications

President Gerken reminded those present that the Council Reorganization meeting is scheduled for Monday, January 6th, 2014 at 5:30 PM in the Hanover Municipal Building. For newly elected and reelected Council Members, please remember to forward your Certificate of Election to Secretary Miller prior to the meeting on January 6th; and if you have not already done so, Secretary Miller would be available to notarize your Certificate of Residency which also needs to be submitted prior to this meeting. Please plan to dress appropriately for a 2014 Council Member Photo following the meeting.

Ms. Hormel read a short statement noting her term on Council will end after eight (8) years, effective December 31, 2013. She stated she did not run for office again because she felt it was time to turn over her seat on Council to someone with new perspectives and a fresh look; she apologized for any conflict she has had with staff and Council members, but also stated she would never apologize for asking questions.

Council members thanked her for her statement this evening.

ADJOURNMENT

President Gerken wished everyone a Merry Christmas and Happy New Year and thanked all for their attendance this evening.

It was moved by Mr. Funke, seconded by Mr. Eline to adjourn the meeting at 8:37 PM. Motion carried.

Respectfully submitted,


Dorothy C. Miller
Borough Secretary

NO. 2200

AN ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 601
ENTITLED, "AN ORDINANCE FIXING SALARIES,
COMPENSATION, BONDS, AND CERTAIN DUTIES
OF BOROUGH OFFICIALS."

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:

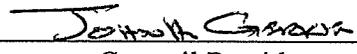
SECTION 1: That Section 1, Subsection A, of said Ordinance No. 601 be and the same is hereby amended to provide and read as follows:

A. MAYOR, No Dollars and No Cents (\$0.00) effective January 1, 2014.

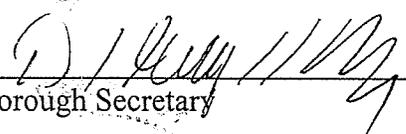
Enacted and ordained this 23rd day of December, A.D., 2013.

THE BOROUGH OF HANOVER

ATTEST:

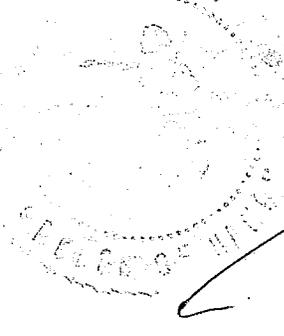


Council President



Borough Secretary

Approved this 23rd day of December, A.D., 2013.




Mayor