

Council Chamber, September 28, 2016

President Noble convened the meeting of Hanover Borough Council on Wednesday Evening, September 28, 2016, 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. Angel, Mr. Baumgardner, Mr. Marcoccio, Mr. McLin, Mr. Noble, Mr. Reichart and Mr. Roth; Mayor Adams; Solicitor Yingst; Manager O'Rourke and Secretary Neiderer. Ms. Libertini entered the meeting at 7:35 PM. Mr. Funke and Mr. Shea were absent this evening.

It was moved by Mr. Reichart, seconded by Mr. Angel to approve the minutes of Hanover Borough Council from August 24, 2016 as presented. Motion carried.

It was moved by Mr. McLin, seconded by Mr. Angel to approve the payment of the bills, the report of the Mayor and the Report of the Fire Chief. Motion carried.

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

- a.) Supervisor of Public Works
- b.) Superintendent of Water & Wastewater Treatment
- c.) Supervisor of Water Distribution
- d.) Supervisor of Water Meter Department
- e.) Engineering Department
- f.) Library Director

Motion carried.

EXECUTIVE SESSION

7:03 PM: Council members, Solicitor Yingst and Manager O'Rourke exited the meeting for an executive session regarding personnel matters.

7:22 PM: Council members, Solicitor Yingst and Manager O'Rourke returned to the meeting and the meeting resumed.

CITIZENS WITH ITEMS OF BUSINESS TO BE BROUGHT BEFORE COUNCIL

- **Alan Redding, 300 West Hanover Street:** Mr. Redding addressed the item on this evening's agenda concerning the future of the garbage & refuse collection service. The Borough currently has a system in place that has worked for many years. The funds generated by the garbage collection system are used for many other services for Borough residents. Mr. Redding expressed concern about the potential loss of service to its citizens, and the loss of jobs for the many reliable and dedicated employees who not only collect garbage, but also handle snow removal, lawn mowing, tree trimming, and assist with all general maintenance within the Borough. He stated his opposition to outsourcing of the garbage collection system in general. The return of 120 surveys out of a population of near 6,000 does not constitute a basis for this decision. Mr. Redding asked Council members to please use common sense when reviewing this important issue.
- **Darlene Funk, 232 Locust Street:** Mrs. Funk stated she supports Mr. Redding's statement and supports the citizens within the community. She agrees that the survey results are inadequate, and suggested a mass mailing with return postage to encourage more citizens to participate in the survey.

CITIZENS WITH ITEMS OF BUSINESS TO BE BROUGHT BEFORE COUNCIL

- Larry Redding, 234 Grant Drive: Mr. Redding stated he would like the garbage service to be outsourced since he feels it is a monopoly and citizens should have a choice whether to utilize the garbage service or not. Mr. Redding is in favor of a bag system as Penn Township has. He complained about Borough Public Works employees not working while in the Borough vehicles, and he doesn't like paying for Borough employees' wages and pensions.
- Mr. Al Franken, 345 Ridge Avenue, McSherrystown: Owns property in the Borough, and received a notice to raise his garbage bill from \$73.50 to over \$200.00, when there are elderly people who rent and don't have enough garbage to justify the increase.
- Mr. Bob Larsen, 545 Grant Drive: Mr. Larsen, on behalf of the boy scouts, stated the scouts work at the recycling center on Saturdays and pick up garbage for the elderly, and does not want the scouts to have to give up these services. The scouts currently benefit from the recycling program. He thanked Council for hearing his concerns.
- Mr. Richard Shellman, 207-209 East Walnut Street: Mr. Shellman received a letter to increase garbage services costs on apartments and he cannot afford to pay the increase.

REPORTS OF THE STANDING COMMITTEES

Finance & Personnel Committee – Mr. McLin

It was moved by Mr. McLin, seconded by Mr. Reichart to ratify the action of the Borough Officers in making the following investments with People's Bank for a period of 30 days, August 31, 2016 to September 30, 2016 at a variable interest rate of 0.58%:

<u>Funds</u>	<u>Investments</u>
General Fund	\$5,913,800.00
Sewer Fund	\$1,113,200.00
Guthrie Memorial Library Fund	\$0.00
Regional Wastewater Treatment Fund	\$349,400.00
Market House Fund	\$33,000.00
Liquid Fuels Fund	\$53,000.00
Equipment Fund	\$333,800.00
Local Services Tax Fund	\$107,000.00
Business Privilege Tax Fund	\$293,200.00
Sewer Projects Fund	\$0.00
Library Projects Fund	\$18,700.00
Hanover Recreation Endowment Fund	\$296,000.00
Water Revenue Fund	\$3,000,000.00
Water Projects Fund	\$186,500.00

REPORTS OF THE STANDING COMMITTEES

Finance & Personnel Committee – Mr. McLin

<u>Funds</u>	<u>Investments</u>
Hanover Recreation Reserve Fund	\$33,700.00
Library Endowment Fund	\$0.00
2013 Water Bonds	\$0.00
2013 Sewer Bonds	\$100,000.00
2013 General Bonds	\$165,000.00
2015 Water Bonds	\$3,500,000.00
Total	<u>\$15,496,300.00</u>

Motion carried.

It was moved by Mr. McLin, seconded by Mr. Roth to approve the 2017 Proposed Budget for the Regional Wastewater Treatment Facility. Motion carried.

It was moved by Mr. McLin, seconded by Mr. Roth to approve Resolution No. 1135 setting fees for the Hanover Farmer's Market House. Motion carried.

I was moved by Mr. McLin, seconded by Mr. Roth to approve the 2017 Minimum Municipal Obligation to the following pension plans:

- Employee's Pension Plan: \$ 398,330.00
- Fire Pension Plan: \$ 46,440.00
- Police Pension Plan: \$ 268,797.00

Motion carried.

It was moved by Mr. McLin, seconded by Mr. Angel to authorize the proper officers of The Borough of Hanover to enter into an agreement with Violette Engineering, Dillsburg, PA for Building Envelope Repair Consulting Services for the Guthrie Memorial Library, Hanover's Public Library. Motion carried.

It was moved by Mr. McLin, seconded by Mr. Baumgardner to direct the Borough Manager to continue researching outsourcing refuse collection and disposal, recycling collection and yard waste collection and composting, including holding a group meeting with potential refuse service companies, accumulating relevant statistics, preparing a 1st draft of bid specifications and holding a public meeting to obtain citizen input. Mr. Roth voted in opposition to the motion. Motion carried.

Planning & Traffic Committee – Mr. Roth

It was moved by Mr. Roth, seconded by Mr. Marcoccio to award the bid for the architectural and engineering services for the demolition of 219 and 227 Baltimore Street to C. S. Davidson, Inc., low bidder in the amount of \$31,894.00. Noting the Community Development Block Grant (CDBG) for 219 Baltimore Street will cover these fees and the fees related to 227 Baltimore Street will be billed to the York Area Housing Group/York Area Development Corporation for payment. Motion carried.

REPORTS OF THE STANDING COMMITTEES

Planning & Traffic Committee – Mr. Roth

It was moved by Mr. Roth, seconded by Mr. McLin to approve the Final Subdivision and Land Development Plan for 100 Eisenhower Drive, LP owner of 100 Eisenhower Drive (Parcel # 0033) and 1201 Carlisle Street (Parcel # 0035). Owner/Developer wants to make 1201 Carlisle Street (Parcel # 0035) part of 100 Eisenhower Drive (Parcel # 0033). In addition, the owner/developer is requesting approval of a land development plan for the new parcel. Plans drawn by Group Hanover, Inc. (GHI) Engineers and Surveyors, 213 Carlisle Street, Hanover, Pennsylvania bearing project number 141652, and dated 07/26/16. Motion carried.

It was moved by Mr. Roth, seconded by Mr. McLin to approve the final Subdivision Plan for North Hanover Centre Realty, LLC owner of 1155 Carlisle Street (Parcel # 0039) separating present lot into two separate lots located in the SC Shopping Center District. They are requesting to subdivide part of the present parking lot into a separate lot creating two properties. Plans drawn by McIlvried, DiDiano, & Mox, LLC (MDM) Site Planners, Engineers, Surveyors Pittsburgh, PA bearing project number 6616 Subdivision, and dated 08/22/16. Motion carried.

It was moved by Mr. Roth, seconded by Mr. Reichart to approve the final Land Development Plan for JS Construction, Inc., Jeffrey R. Stern, President, owner of 515 Penn Street (Parcel # 0166) to construct a new office and shop combination. Plans drawn by Jack N. Powell, PE, Inc. Civil and Environmental Engineering, 355 Winding Lane, East Berlin, PA bearing project number 20810.16 and dated 08/29/2016. Motion carried.

It was moved by Mr. Roth, seconded by Mr. Reichart to approve the final Subdivision and Land Development Plan for York Area Development Corporation owner of 227 Baltimore Street (Parcel # 0425) to subdivide the property at 219 and 227 Baltimore Street and requesting approval for land development to build four (4) single-family attached dwelling units. Plans drawn by First Capital Engineering, 48 South Richland Avenue, York, PA bearing project number FCE # 959-1 and dated 08/30/16. Mr. Baumgardner questioned if the Planning Commission discussed the lot sizes as they were 20' x 200'. Mr. Roth confirmed the lot dimensions were reviewed and approved by the Planning Commission. Mr. Baumgardner voted in opposition to the motion. Motion carried.

It was moved by Mr. Roth, seconded by Mr. Reichart to approve the Final Subdivision and Land Development Plan for Bon Ton Builders, 1060 Baltimore Street, Hanover, PA owner of 261 Third Street (Parcel # 0167A) to subdivide present lot into three (3) lots. In addition, the owner/developer is requesting approval of a land development plan to build three (3) family dwelling units. Plans drawn by Hanover Land Services, Inc. (HLS) 585 McAllister Street, Hanover, PA bearing project number 6940 and dated 08/30/16. Motion carried.

Public Safety Committee – Mr. McLin

It was moved by Mr. McLin, seconded by Mr. Roth to approve Ordinance No. 2251 entitled **AN ORDINANCE OF THE BOROUGH OF HANOVER AMENDING THE CODE OF THE BOROUGH OF HANOVER BY REVISING CHAPTER 350, SECTION 350-3 TO INCREASE THE FINE FOR VIOLATING THE MAXIMUM GROSS WEIGHT LIMITATIONS FOR VEHICLES USING PUBLIC ROADS IN THE BOROUGH FROM \$50.00 TO \$75.00, PLUS \$75.00 FOR EACH 500 POUNDS, OR PART THEREOF, IN EXCESS OF 3,000 POUNDS OVER THE MAXIMUM GROSS WEIGHT OR THE REGISTERED GROSS WEIGHT.** On roll call, the following voted in favor of the motion: Mr. Angel, Mr. Baumgardner, Ms. Libertini, Mr. Marcoccio, Mr. McLin, Mr. Noble, Mr. Roth and Mr. Shea. There were no votes in opposition to the motion. Motion carried.

It was moved by Mr. McLin, seconded by Mr. Roth to authorize and accept the certified eligibility list of police candidates as presented by the Hanover Borough Civil Service Commission. Motion carried.

REPORTS OF THE STANDING COMMITTEES

Public Works Committee – Mr. Angel

It was moved by Mr. Angel, seconded by Mr. Roth to approve replacement of two (2) pickup trucks T-15 and P-26 in time for the winter season. Motion carried.

Public Service & Communications Committee – Mr. Marcoccio

It was moved by Mr. Marcoccio, seconded by Mr. Reichart to approve the request of the Hanover Area Chamber of Commerce to hold a "Snacktown Brew Festival" from 8:00 AM to 10:00 PM on Saturday, June 24, 2017 at Good Field, 50 North Forney Avenue, as per their special event permit application received September 28th, 2016 with the following conditions attached:

- a.) All estimated Borough labor and/or materials costs shall be provided by the Chamber of Commerce and paid in advance, with refunds or additional charges calculated following the event.
- b.) Proper permitting for the event is obtained from the Pennsylvania Liquor Control Board.
- c.) The perimeter of the event is fenced off and all entrances and exits are monitored by event personnel.
- d.) Chamber of Commerce to provide security personnel within the event itself.
- e.) The area is policed for litter following the event.
- f.) A certificate of insurance is submitted naming The Borough of Hanover as additional insured for the event.

Motion carried.

It was moved by Mr. Marcoccio, seconded by Mr. Reichart to approve the Special Event Permit application for Tara Kauffman, on behalf of The Hanover Athletic Booster Club to hold their 7th Annual Hawk Hustle 5K race and 1 mile run/walk on Saturday, November 12, 2016 as per their letter and Special Event Permit Application submitted September 23, 2016, provided all estimated costs for Borough costs are paid in advance, a certificate of insurance is submitted naming The Borough of Hanover as additional insured and the area is policed for litter following the event. Motion carried.

It was moved by Mr. Marcoccio, seconded by Mr. Reichart to approve the request of the Hanover Area Historical Society to hold a tree walk at Myers Arboretum on Sunday, October 23, 2016 from 1:00 PM to 3:00 PM. Motion carried.

It was moved by Mr. Marcoccio, seconded by Mr. Reichart to approve the request of Mr. Joseph Despines, on behalf of the Hanover Area Young Marines to hold their Substance Abuse Rally/Drug Demand Reduction event in Center Square on Saturday, October 22nd from 10:00 AM to 2:00 PM provided there is no obstruction of pedestrian or vehicular traffic and the area is policed for litter following the event. Motion carried.

Water & Sewer Committee – Mr. Reichart

It was moved by Mr. Reichart, seconded by Mr. Roth to approve Resolution No. 1136 in support of the Commonwealth Financing Authority (CFA) Pennsylvania Water and Sewer Grant application for water main lining on Carlisle Street from Fourth Street to Center Square and Baltimore Street from Center Square to Granger Street, with a contribution from the Borough of \$75,000 to receive \$425,000 in grant funding for the project. Motion carried.

It was moved by Mr. Reichart, seconded by Mr. Roth to award the bid for the Lawrence Baker Sheppard Erosion and Sedimentation Control Project to Conway T. Smith, Inc., 612 Lingg Road, New Oxford, PA, low bidder in the amount of \$22,237.50. Motion carried.

REPORTS OF THE STANDING COMMITTEES

Water & Sewer Committee – Mr. Reichart

It was moved by Mr. Reichart, seconded by Mr. Roth to authorize staff to move forward with the Lawrence Baker Sheppard (Long Arm) Dam Improvement Project. Motion carried.

MAYOR'S REPORT

Mayor Adams reported his attendance in West Manheim Township on September 9th at the Healing Fields sponsored by the Exchange Club, where he read a proclamation commemorating the 15th anniversary of the September 11th terrorist attacks. 3,000 United States flags were installed in memory of those who perished on September 11th, 2001.

VIDEO REPORT

Dale Ault, Water Distribution Supervisor, described a series of photographs involving spillway repairs at LBS Dam by Water Department Staff and he also thanked the Public Works staff for their assistance on the project, noting Borough staff members often work together to carry out various projects.

OTHER MATTERS

➤ **Communications**

President Noble assigned the Library renovation project progress to be addressed under the Facilities Committee.

➤ **New Business**

It was moved by Mr. Baumgardner, seconded by Mr. Angel to approve the following reappointments to the Hanover Recreation Board for a five (5) year term ending August 31, 2021:

- a. Andrea Hutton, 232 Baltimore Street, Hanover, PA
- b. Stanley W. DeHoff, Jr., 107 Meade Avenue, Hanover, PA

Motion carried.

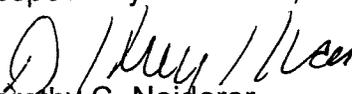
➤ **Unfinished Business**

It was moved by Mr. Marcoccio, seconded by Mr. Roth to approve the request of the Lion's Club to amend their previous approval (Council approved August 24, 2016) for use of the Market House from September 24, 2016 for their annual Tag Day donations to October 15, 2016 due to staffing changes.

Adjournment

It was moved by Mr. Roth, seconded by Mr. Reichart to adjourn the meeting at 7:55 PM. Motion carried.

Respectfully submitted,


Dorothy C. Neiderer
Borough Secretary

NO. 2251
AN ORDINANCE

AN ORDINANCE OF THE BOROUGH OF HANOVER AMENDING THE CODE OF THE BOROUGH OF HANOVER BY REVISING CHAPTER 350, SECTION 350-3 TO INCREASE THE FINE FOR VIOLATING THE MAXIMUM GROSS WEIGHT LIMITATIONS FOR VEHICLES USING PUBLIC ROADS IN THE BOROUGH FROM \$50.00 TO \$75.00, PLUS \$75.00 FOR EACH 500 POUNDS, OR PART THEREOF, IN EXCESS OF 3,000 POUNDS OVER THE MAXIMUM GROSS WEIGHT OR THE REGISTERED GROSS WEIGHT.

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

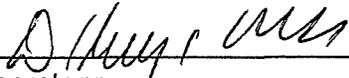
Ordinance No. 2188 (the Code of the Borough of Hanover) is hereby amended by revising Chapter 350, Section 350-3 as follows:

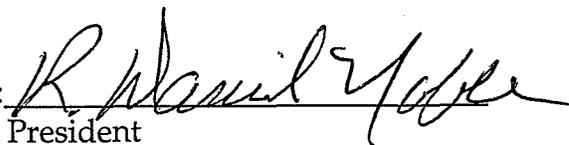
1. Any person violating the provisions of this Chapter shall upon summary conviction before a Magisterial District Judge, be sentenced to pay a fine of \$75.00, plus \$75.00 for each 500 pounds, or part thereof, in excess of 3,000 pounds over the maximum gross weight or the registered gross weight, plus costs of prosecution and, in default of payment thereof, shall be subject to imprisonment for a period of time not to exceed five (5) days.
2. If the gross weight of any vehicle or combination exceeds the applicable gross weight allowed under 75 Pa.C.S. Section 4941(a), the fine imposed under this section shall be doubled.

ENACTED AND ORDAINED by the Hanover Borough Council on this 28th day of September, 2016.

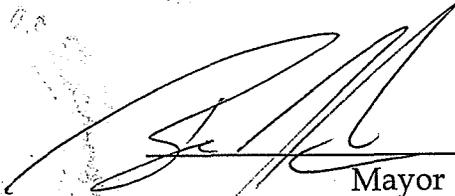
ATTEST:

BOROUGH COUNCIL OF THE
BOROUGH OF HANOVER


Secretary

By: 
President

Approved this 28th day of September, 2016.


Mayor