

Council Chamber, January 22, 2014

President Gerken convened the meeting of Hanover Borough Council Wednesday Evening, January 22, 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, Mrs. Griffin, Mr. McLin, Mr. Marcoccio, Mr. Morris, Mrs. Yingling; Solicitor Yingst; Mayor Adams; Manager Krebs and Secretary Miller. Councilmen Reichart, Roth and Junior Councilman Sheaffer were absent.

A motion was made by Mr. Eline, seconded by Mr. Funke to approve the minutes of the following Hanover Borough Council meetings:

- (a) December 23, 2013
- (b) January 6, 2014
- (c) January 6, 2014 Reorganization Meeting

Motion carried.

A motion was made by Mr. Eline, seconded by Mrs. Yingling to approve Payment of the Bills, the Report of the Mayor, and the Report of the Fire Chief. Motion carried.

A motion was made by Mr. Eline, seconded by Mrs. Yingling to approve the following Reports of 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

Mr. McLin questioned why the Engineer's Report included "research and preparation of data for the Wetlands Park Nature Trail." Manager Krebs responded the purpose is to formulate a power point presentation for the upcoming public hearing on the Nature Trail. The public hearing will be scheduled at a Public Service Committee meeting after receipt of the plans so that parties both for and against the nature trail will have an opportunity to comment. Mr. McLin questioned why the Nature Trail was not an item under the Finance Committee of January 15th. Manager Krebs responded parks and recreation items fall under the Public Service Committee, and all monies for the project will be from the grant and private donations.

Motion carried.

CITIZENS WITH ITEMS OF BUSINESS TO BE BROUGHT BEFORE COUNCIL

Mr. John Flynn and Mrs. Audrey Flynn, 179 Primrose Lane stated their opposition to the proposed nature trail and questioned if the proper procedures were followed under the Department of Conservation and Natural Resources (DCNR) requirements for a public hearing under the grant application. Manager Krebs stated that all requirements for the grant have been met in coordination with guidance from representatives of the DCNR through all steps of the grant process, including a public meeting when Council approved the submission of the grant application. Manager Krebs assured citizens that they will have their chance to comment on the proposed project at the public hearing.

CITIZENS WITH ITEMS OF BUSINESS TO BE BROUGHT BEFORE COUNCIL

Council is listening and will make their decision after the public hearing whether to move forward or not.

Ms. Merle Feder, 173 Primrose Lane distributed a list of questions to Council Members regarding the proposed nature trail. Mr. Eline assured citizens that a public hearing will be held at an upcoming Public Service Committee meeting, and Council will hear their comments at that time, and further stated that a public hearing cannot be held until all information and plans for the project are received so all information is on the table.

President Gerken thanked citizens for their comments this evening, and reiterated that a public hearing for the proposed nature trail project will be held where all comments can be addressed at that time.

REPORTS OF THE STANDING COMMITTEES

Finance & Personnel Committee – Mr. Funke

It was moved by Mr. Funke, seconded by Mrs. Yingling to ratify the action of the proper officers of The Borough in approving the following Real Estate Tax Lien Filings by the Hanover Borough Tax Collector and exonerating the Tax Collector from further efforts to collect the aforesaid taxes:

- a. The Real Estate Taxes listed on the "Return of Uncollected Real Estate Taxes for the Year 2012" in the amount of \$251.20.
- b. The Real Estate Taxes listed on the "Return of Uncollected Real Estate Taxes for the Year 2013" in the amount of \$99,864.47.

Motion carried.

It was moved by Mr. Funke, seconded by Mrs. Yingling to authorize the proper officers of The Borough of Hanover to enter into an agreement for Delinquent Hanover Borough Per Capita Tax Collection with York Adams Tax Bureau, York Pennsylvania. Motion carried.

It was moved by Mr. Funke, seconded by Mr. Morris to exonerate Per Capita Tax Collector Leroy Wentz, 217 Frederick Street, Hanover, PA from the collection of the following uncollected Per Capita Taxes listed on the reports dated January 7, 2014:

- a. 2013 Full and Interim Per Capita Taxes \$ 15,835.00
- b. 2012 Interim Per Capita Taxes \$ 2,810.00

Motion carried.

It was moved by Mr. Funke, seconded by Mrs. Yingling to charge Delinquent Hanover Borough Tax Collector York Adams Tax Bureau, York, Pennsylvania with the collection of the following uncollected Per Capita Taxes listed on the report dated January 7, 2014 from Hanover Borough Tax Collector Leroy Wentz for all persons who have been given more than the legal time limit for payment of Per Capita Taxes but have failed to do so:

- a. 2013 Full and Interim Per Capita Taxes \$ 2,150.50
- b. 2012 Interim Per Capita Taxes \$ 940.50

Motion carried.

It was moved by Mr. Funke, seconded by Mr. Eline to charge 2014 Real Estate Tax Collector Leroy Wentz, 217 Frederick Street, Hanover, PA with the collection of 2014 Real Estate Tax in the amount of \$5,353,886.78 and authorizing the issuance of Tax Warrants for same with the payment of ninety five hundredths (0.95%) percent commission on the collection of each tax bill collected. Motion carried.

REPORTS OF THE STANDING COMMITTEES

Finance & Personnel Committee – Mr. Funke

It was moved by Mr. Funke, seconded by Mr. Eline to charge 2014 Per Capita Tax Collector, Leroy Wentz, 217 Frederick Street, Hanover, PA with the collection of Per Capita Tax in the amount of \$53,775.00 and authorizing the issuance of Tax Warrants for same with the payment of 25¢ commission on the collection of each tax bill collected. Motion carried.

It was moved by Mr. Funke, seconded by Mr. Eline to authorize the proper officers of The Borough of Hanover to enter into agreements for rental of stalls at the Hanover Market House:

<u>Name</u>	<u># Stalls</u>	<u>Term</u>	<u>Description</u>
Dan McGregor	12 Stalls	1 Year	Returning Vendor/McGregor's Garden
Jane Poole	4 Stalls	1 Year	Returning Vendor – Gourds & Baskets
Christopher Arter	2 Stalls	1 Year	Returning Vendor–Christopher Cringle's
Tracy Bollinger	2 Stalls	1 Year	Returning Vendor - Flowers/Jewelry

Motion carried.

It was moved by Mr. Funke, 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>
Donald Althouse	Check #7034	\$ 80.55
J. Belanger	Check #1	\$ 172.20
Molly E. Imler	Check #115	\$ 89.44
Peggy J. Beverly	Check #3960	\$ 34.60

Motion carried.

It was moved by Mr. Funke, seconded by Mrs. Yingling to authorize the removal the large white pine tree in the Old German Cemetery, Rear Locust and York Streets. Mrs. Griffin questioned if a quotation was being sought from the contractor recommended by a citizen at the Finance & Personnel Committee. Manager Krebs responded that staff has been trying to contact this contractor for an insurance certificate and quotation. Tonight's motion is to remove the tree, which will be done at the lowest possible quotation. Motion carried.

It was moved by Mr. Funke, seconded by Mr. Morris to approve the following sewer account credits, one time only, due to leaks that have since been repaired and did not enter the sanitary sewer system:

<u>Name</u>	<u>Account Number</u>	<u>Property Address</u>	<u>Sewer Credit Amount</u>
Arlene Lippy	51-0236344-0	138 North St/Apt. 3	\$ 67.50
Charles Stenger	51-0071140-0	578 Spring Ave	\$ 912.85

Motion carried.

Planning and Traffic Committee – Mr. Morris

It was moved by Mr. Morris, seconded by Mr. Funke to approve Resolution No. 1068 entitled "A RESOLUTION OF THE BOROUGH OF HANOVER, YORK COUNTY, PENNSYLVANIA, AUTHORIZING THE FILING OF A PROPOSAL FOR MAIN STREET PROGRAM FUNDS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, COMMONWEALTH OF PENNSYLVANIA." Motion carried.

REPORTS OF THE STANDING COMMITTEES

Water and Sewer Committee – Mrs. Griffin

It was moved by Mrs. Griffin, seconded by Mr. Eline to authorize the proper officers of The Borough of Hanover to enter into a water consumer deposit agreement with Woodhaven Building and Development, 4175 Hanover Pike, Manchester, Maryland for installation of approximately 1,630' of 6" and 440' of 8" water main on Kaitlyn Drive; 830' of 6" and 110' of 8" water main on Alexander Drive; including 43 – 1" service laterals in the High Point North Phase II Development. Motion carried.

It was moved by Mrs. Griffin, seconded by Mr. Eline to deny the request of Pyramid Network Services, LLC on behalf of AT&T to install a back-up generator at the Terrace Avenue Tank facility. Mr. McLin questioned why the denial is on the agenda this evening. Manager Krebs responded the denial is due to lack of space on the property, noise level in a residential area, and to discourage similar requests in the future. Motion carried.

Public Service Committee – Mr. Eline

It was moved by Mr. Eline, seconded by Mr. Funke to approve the request of The Allied Veterans Council of Hanover to hold the Annual Memorial Day Parade Monday, May 26, 2014, formation 7:30 AM; parade start 8:30 AM; parking restricted the entire parade route; street reopening 10:30 AM. Motion carried.

It was moved by Mr. Eline, seconded by Mrs. Griffin to approve the request of St. Matthew Lutheran Church for use of the following parking lots for free parking on Saturday, March 15, 2014, per their letter of January 9, 2014:

1. Carlisle Street Lot
2. East Chestnut Street Lot (Lot 5)
3. West Chestnut Street Lot (Lot 2)
4. Frederick Street Lot (Lot 3)

Mr. Eline voted in opposition to the motion. Motion carried.

Public Service Committee – Mr. Eline

It was moved by Mr. Eline, seconded by Mr. Funke to authorize the Leisure Council class to be administered by the Guthrie Memorial Library, Hanover's Public Library as part of their fundraising efforts. Motion carried.

MAYOR'S REPORT

Mayor Adams thanked the Public Works crews for all their hard work during the recent snowstorm.

OTHER MATTERS

Communications

President Gerken thanked the water crews for their diligent efforts repairing broken water mains during all the severe weather.

Mr. Eline thanked the Fire Department and Police Department for all their hard work they do for our community.

OTHER MATTERS

New Business

It was moved by Mr. Marcoccio, seconded by Mr. Funke to approve the re-appointment of Mrs. Barbara Eisenhart as Mayor's appointee to the Guthrie Memorial Library – Hanover's Public Library Board of Governors for a period of three (3) years ending January 31, 2017. Motion carried.

Unfinished Business

Mr. McLin questioned why Mr. Funke was removed as Chairman of the Planning & Traffic Committee. Mr. Eline responded that although Mr. Funke's expertise is invaluable to this Committee, the success of his business has resulted in a high percentage of plans before the Committee that come through his engineering firm. Council and Manager Krebs were advised by the auditors and the Borough Solicitor that it would be in the best interest of the Borough for Mr. Funke to step down as Chairman, but value his expertise as a Committee member.

ADJOURNMENT

President Gerken thanked Council, staff and citizens for their attendance this evening.

It was moved by Mr. Funke, seconded by Mr. Eline to adjourn the meeting at 7:35 PM. Motion carried.

Respectfully submitted,


Dorothy C. Miller
Borough Secretary

Submitted 1-22-14 Council meeting by, *Orle Feder, 173 Primrose Lane/Don*

NATURE TRAIL QUESTIONS

1. Have you considered the possibility of illicit and criminal activity in the area of the trail?
2. Do you, in your hearts, believe that you are not creating a threat to the senior citizens adjacent to this project?
3. Do you really think this trail will be used to the extent that it is worth the cost?
4. How many people now use the rail/trolley trail off Moul Avenue? How many people do you think will use the nature trail, if constructed, after their first exposure to it?
5. What impact will the construction have on the wildlife now calling this area its home?
6. What immediate and future impact will the massive disturbance of this protected designated wetlands area have on the contamination of streams, flooding to the surrounding areas, and depth of the water table. The high water table is a problem for homes blocks from the wetlands.
7. Where are the hikers using this "trail to nowhere" going to park? Hopefully not on the quiet residential streets adjacent to it.
8. Obviously costs were projected for this project prior to the submission for the grant. What are the projected costs?
 - Engineering?
 - Environmental studies?
 - Materials: Wooden walkways (pilings, walkway boards, railings, pickets)?
 - Mixed trail surface? Necessary vegetation replacement? Miscellaneous? (There are always lots of these.)
 - Labor costs including the overhead associated with wages? Is this a scale job?
 - Equipment costs at the going hourly rate?
 - Costs for the parking areas?
9. What are the projected annual maintenance costs?
10. What is the anticipated cost and time the police department will need to devote to patrolling and responding to illicit activities in this area? The police logs regularly show police responses to incidents on the parking lots of the businesses along Eisenhower Drive. Isn't it possible these incidents will spill over into the area of the trail?
11. With an 8 foot wide walkway how do you plan to keep motorized vehicles out of this area?
12. What is the liability to the Borough when someone is injured in this area, especially a child or handicapped person who falls off the raised boardwalk or slips into the stream?
13. Why do you want to burden the taxpayers of Hanover with an additional ongoing expense we don't need? The Borough of Hanover is already in deficit spending with millions of dollars of required projects in the immediate future. Why add an additional cost that is not a necessity?