

Council Chamber, September 11, 2013

Hanover Borough Council met in public session, Wednesday Evening, September 11, 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. Eline, Mr. Funke, Mr. Gerken, Mrs. Griffin, Ms. Hormel, Mr. Hufnagle, Mr. McLin, Mr. Morris, Mrs. Yingling; Mayor Adams; Solicitor Yingst, Manager Krebs and Secretary Miller; Mr. Connor and Junior Councilman Sheaffer were absent.

Manager Krebs addressed Council and citizens present regarding the upcoming changes to the Guthrie Memorial Library. Manager Krebs and Library Director Hiigel referenced plans attached to the bulletin board for viewing which highlight proposed changes in floor space usage, showing 8,500 Square feet proposed to be leased out of a total of 30,000 square feet of total space. The remaining 20,500 square feet is equal to three (3) times that of the library before reconstruction began. Manager Krebs summarized the time line from 2000 to present on the Library's reconstruction. In 2000-2001, the architect's projected total construction cost was \$3,000,000. A Capital Campaign was launched for donations, projecting that 1/3 of the funds needed would come from donors and the remaining 2/3 would be generated through library operations and grants. In May 2002 the library moved to its temporary location on Franklin Street. In December 2002 bids were solicited. Bids came in February 2003 at a total low bid of \$7,970,382. Bids were awarded by Council unanimously in June 2003, with anticipation of an increase in state funding, and library construction began. In 2004, there was an unanticipated \$877,000 decrease in library funding across York County. The Library reconstruction was completed in 2006 and the library moved back to its home and opened its doors. The operating budget increased the Borough's contribution from \$243,000 in 2004 to \$423,000 in 2006. The final reconstruction costs totaled \$13,000,000. Library Board Members and Staff began to attend municipal and school board meetings in 2007 to inform them about the importance of fair share contributions, the services the library offers, and to present statistics on use and participation. Specifically, Adams County accounts for 31% of all library usage; Borough residents are at 27.5%; and residents of Penn Township at 23.46%. Unfortunately, there is no way to mandate adequate fair share contributions from other municipalities under the York County Library System and State regulations. Currently in 2013 the Budget shows \$625,000 in Hanover Borough contributions to fund library operations, not including bond payments. In the face of all the increases not only in library costs, but across the budget, there was no tax increase since 2004. In December 2012, citizens of the Borough came to Council and were outraged at the proposed tax increase to 5.5 mills which reflected a 38% proposed increase to balance the budget. In response to citizens, Council reduced the tax increase for 2013 to the rate of 5.0 mills or 25%. Council at that time assured its citizens of their plan to review the budget in all areas to reduce costs and spending by appointing a special working committee to analyze all Borough funds, the library being one of many areas of concern. The library leases will bring forth a projected \$84,000 annual increase in revenue; staff will be reduced, eliminating one hundred twenty (120) work hours per week or the equivalent of three (3) full time employees; and library hours will be reduced to forty-five (45) hours per week - closing on Mondays. Manager Krebs asked for citizens' support in these efforts for the library to continue its role as the hub of the community through the continued dedication of the Library Staff, members of the Library Board of Governors the Budget Advisory Group, Hanover Borough Council and the many volunteers through their continued support of the library as we move into the future, never faltering in the face of change.

President Gerken thanked Manager Krebs for her statement this evening, and asked for citizens to come forward with their concerns.

CITIZENS WITH ITEMS OF BUSINESS TO BE BROUGHT BEFORE COUNCIL

Mr. Thomas Peli, 315 McKinley Avenue read a letter written by his wife Valerie Peli expressing concern of moving the children's area, and the overspending for the original project.

Mr. Charles Sarber, 105 Little Bridge Road questioned the lease and financial aspects.

Mr. Jeremy Frey, Esquire, 221 Orchard Drive with offices at 14 Center Square stated his representation of a number of concerned citizens and posed several questions regarding how the decision was made to lease the area and if all "bases" were covered. Manager Krebs asked for a list of citizens Mr. Frey was representing. Mr. Frey would not disclose the names other than his mother, Susan Frey. When asked by Mr. Frey, Manager Krebs responded there is 6,000 square feet approved for lease to the Guthrie Gals. Mr. Frey asked what steps were taken to market the available space, and Manager Krebs responded that the Library Director, Librarian and herself spoke to local business leaders and considered many businesses within the community that would have a potential interest. Currently the 2,400 square foot teen area is being negotiated with four (4) possibilities for lease as well. When asked by Mr. Frey how the rental rates were determined, Manager Krebs responded that local realtors were contacted for their expertise; the lease rate being between \$10.00 and \$12.00 per square foot. The lease was received at 5:30 this evening from the Guthrie Gals in a sealed envelope and has not been opened or reviewed at this time. Council unanimously approved the lease at the August 28, 2013 Council meeting. Mr. Frey questioned the zoning regulations applicable to the property. Manager Krebs stated the zoning would not be affected by this lease, as the lease is contingent with library functions, and is located in the General Business District. Mr. Frey stated when the Borough took title in 1911, there were restrictions that stated the property must be used as a public library. Manager Krebs stated the original portion of library use will not change, and deferred further questions on the lease to the Borough Solicitor. Mr. Frey questioned the property taxes, and whether the non-profit use status will be affected. Solicitor Yingst responded he believes the use will be in accordance with public library use, and should not be a concern. He pointed out other non-profit properties also have leases with other entities for profit use, such as the Moul Avenue Concession Stand, etc. Mr. Yingst stated the property will not become taxable. In closing, Mr. Frey stated the citizens are upset that they weren't consulted and asked the Borough to take a hard look at the situation before implementing the leases.

Mr. John Flynn, 179 Primrose Lane asked when the nature trail will be discussed. Manager Krebs responded the project is on hold for a decision from the Department of Conservation and Natural Resources (DCNR) for grant approval. She anticipates a decision from DCNR in approximately two (2) months, noting the funding will be totally allocated from grants and private entities.

Mr. Paul Englehart, 34 Meade Avenue asked what the length of the lease was, if there will be annual increments, if the fundraising events revenue goes directly to the Borough, and if there were background checks conducted of the lessees. Manager Krebs responded the length of the lease was five (5) years, and affirmatively to the last three (3) questions.

Mr. Roland Sanders, who is a co-executor for 26 Redwood Lane asked about the pumping of water onto the street by one of the property owners on Redwood Lane which causes problems especially in the winter with ice. Manager Krebs stated that there are no storm drains accessible to this location, and she and staff have met with this property owner on several occasions to remedy the problem. The Borough, under Department of Environmental Protection mandates, maintains an Infiltration and Inflow Crew to monitor all related stormwater problems. Grants are investigated periodically for stormwater installation, but unfortunately to date, this area is not qualified to receive funding.

CITIZENS WITH ITEMS OF BUSINESS TO BE BROUGHT BEFORE COUNCIL

Mr. Matthew Nolan, 39 Sprengle Avenue stated his opposition to the restructuring of the library, especially the children's section. He further stated his concerns about not obtaining the best possible leasing opportunities. He also questioned the deed restrictions, the tax status and asked Council to hold on this action.

Mrs. Karen Roland, 307 Primrose Lane asked how much salaries and benefits were for the library in 2013. Manager Krebs responded the amount of salaries and benefits for library employees is approximately \$784,000; and \$112,000 is allocated for books.

Mr. Thomas Peli questioned the lack of efforts to publicize the lease offering before taking action.

Ms. Kathy Hoar, 741 Sheppard Road, Hanover, owner of the Sheppard Mansion criticized the Council for apparent lack of transparency in the decision making process, and lack of contact with those individuals who donated funding for the reconstruction project. She suggested a regional authority to take over the debt and fund the library.

Mr. Dan Brady, 931 East Walnut Street asked the citizens present why they did not speak up ten years ago when the construction bids were approved? He criticized the citizens' lack of attendance and participation at public meetings, noting that the issues being presented were not a direct result of the individuals sitting at this table.

President Gerken thanked all citizens for their attendance and comments this evening.

8:45 PM: President Gerken called a short recess.

8:50 PM: The meeting resumed.

REPORTS OF THE STANDING COMMITTEES

Finance & Personnel Committee – Mr. McLin

It was moved by Mr. McLin, seconded by Ms. Hormel to ratify the action of the Borough Officers in making the following investments with Members First Federal Credit Union for a period of 31 days, August 30, 2013 to September 30, 2013 at an interest rate of .20%:

<u>Funds</u>	<u>Investments</u>
General Fund	\$1,798,622.75
Bicentennial Fund	\$1,377.25
Sewer Fund	\$1,450,000.00
Bucks for Books Fund	\$112,000.00
Regional Wastewater Treatment Fund	\$0.00
Market House Fund	\$16,000.00
Liquid Fuels Fund	\$60,000.00
Equipment Fund	\$170,000.00
Local Services Tax Fund	\$168,000.00
Business Privilege Tax Fund	\$19,800.00

REPORTS OF THE STANDING COMMITTEES

Finance Committee – Mr. McLin

<u>Funds</u>	<u>Investments</u>
Brier Memorial Fund	\$11,470.00
Leisure Services Fund	\$43,000.00
Old Hanover Videos Fund	\$980.00
Sewer Projects Fund	\$0.00
Library Projects Fund	\$177,000.00
Hanover Recreation Endowment Fund	\$295,000.00
Water Revenue Fund	\$500,000.00
Water Projects Fund	\$186,000.00
Market House Reserve Fund	\$5,656.45
Hanover Recreation Reserve Fund	\$12,647.38
Library Endowment Fund	\$764,376.06
Sewer Reserve Fund	\$0.00
Total	<u>\$5,791,929.89</u>

It was moved by Mr. McLin, seconded by Mr. Funke to enter into an agreement for the purchase of 43,000 pounds of Nitrogen Credits at a rate of ninety-five (95¢) cents per pound per credit with Penn Township and York City Sewer Authorities. Motion carried.

It was moved by Mr. McLin, seconded by Mr. Eline to approve the following 2014 Borough of Hanover Budgets:

a.) Regional Wastewater Treatment Plant

Manager Krebs noted that the previously proposed deficit of \$67,000 has now been changed to an overage of approximately \$250.00 after shopping for the DEP - required nitrogen nutrient credits, bought from other municipalities at a very low rate.

Motion carried.

Planning & Traffic Committee – Mr. Funke

It was moved by Mr. Funke, seconded by Mr. McLin to approve Resolution No. 1057 entitled "York County 2013 Hazard Mitigation Plan". Motion carried.

Public Service Committee – Mr. Eline

It was moved by Mr. Eline, seconded by Mrs. Yingling to approve the request of Grace United Church of Christ, 100 Fourth Street, Hanover, PA to close the alley adjacent their church from 2:00 PM until 10:00 PM on Saturday, October 26, 2013 to hold a Fall Festival as per their request letter, provided a certificate of insurance is submitted naming The Borough of Hanover as an additional insured for the event. Motion carried.

REPORTS OF THE STANDING COMMITTEES

Public Service Committee – Mr. Eline

It was moved by Mr. Eline, seconded by Mr. Funke to approve the request of Stephen W. Eyer Jewelers, 130 Carlisle Street, Hanover, PA to hold a "Pink Out" event on Saturday, October 5, 2013 on the public sidewalk to sell hotdogs, soda and bagged potato chips as per their letter and map dated August 29, 2013 based on the following conditions:

- a.) Activities will not disrupt pedestrian traffic and will allow a four (4') foot minimum handicapped clearance area;
- b.) Sales are in compliance with Hanover Health regulations and proper licensing is secured for the event.

Motion carried.

It was moved by Mr. Eline, seconded by Mr. Funke to approve the request of the Hanover Lions Club to collect donations to support charitable community programs at the Hanover Market House on Saturday, September 28th from 6:00 AM to 1:00 PM. Motion carried.

Water and Sewer Committee – Mrs. Griffin

It was moved by Mrs. Griffin, seconded by Mr. Hufnagle to authorize the proper officers of The Borough of Hanover to enter into a water consumer deposit agreement with Pinebrook Villas, LLC, c/o Paul Burkentine, 330 Dubs Church Road, Hanover, PA for installation of approximately 880' feet of 6" water main on Nittany Court; including 14 – 1" double service laterals with spreads and 1 – 1" single service lateral in the Pinebrook Villas, LLC Phase I Development at a cost of approximately \$31,800.00, owner to trench, backfill, compact & supply stone where needed. Motion carried.

MAYOR'S REPORT

The 18th Annual Hanover Chili Cookoff was held Sunday, September 1st at Good Field where Mrs. Griffin read an opening Proclamation for the event, in Mayor Adams' absence. Mayor Adams reminded all in attendance of the upcoming "Music in the Park" event to be held Saturday, September 14th at Wirt Park from 12:00 PM to 8:00 PM with lots of great entertainment.

OTHER MATTERS

Communications

President Gerken reminded Council Members that the next meeting September 25, 2013 – will begin at early at 6:30 PM with a presentation on upgrades and improvements to the water system.

Ms. Hormel asked if a waiver of the \$500 Special Event Permit fee could be considered for the Hanover Athletic Boosters request. Manager Krebs indicated that Mr. Frederick was instructed to submit a permit application along with the fee, in order to be considered, but none was received. The Budget Committee indicated they are not in favor of a waiver of this fee, since Police personnel are needed for the event.

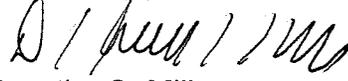
It was further noted that there are no fees for the CROP walk, since walkers obey all traffic laws and are not on the streets.

ADJOURNMENT

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

It was moved by Mr. Funke, seconded by Mr. Hufnagle to adjourn the meeting at 9:10 PM. Motion carried.

Respectfully submitted,



Dorothy C. Miller
Secretary