

President Gerken called the meeting of Hanover Borough Council to order on Wednesday Evening, September 25, 2013, 6:30 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. Gerken, Ms. Hormel, Mr. Hufnagle and Mr. McLin; Mayor Adams; Solicitor Yingst; Manager Krebs and Secretary Miller. Mr. Morris and Mrs. Yingling were absent. Mrs. Griffin entered the meeting at 6:48 PM; Mr. Connor entered the meeting at 7:22 PM; and Mr. Funke joined the meeting at 8:54 PM.

PRESENTATION OF WATER SYSTEM UPGRADES

Mr. Mike Mehaffey, Client Manager with Water and Wastewater System Issues, along with Mr. Jamie Shambaugh and Mr. Paul Schwager from Gannett Fleming Engineering, gave an evaluation update regarding proposed upgrades of the Hanover Water System which include proposed improvements to the water filtration plant, the Sheppard Myers Dam and Lawrence Baker Sheppard Dam. These upgrades are part of a mandate from the Department of Environmental Protection.

President Gerken thanked Mr. Mehaffey and his staff for their presentation this evening.

8:10 PM: Council Members, Mayor Adams and Solicitor Yingst exited the meeting to a closed caucus session.

8:54 PM: The meeting reconvened.

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

- (a) August 28, 2013
- (b) September 11, 2013

Mr. McLin asked that two (2) additional changes be noted in the minutes of August 28, 2013, page 2, after the motion to accept the lease from the Guthrie Gals: *Mr. Hufnagle asked if the \$2,000 per month lease covered the cost of utilities; Manager Krebs answered affirmatively. Ms. Hormel asked what the square footage was that was being leased; Manager Krebs noted the square footage totals are still being finalized. "Motion carried" needs inserted after this motion as well.*

Mr. McLin asked for changes to the minutes of September 11, 2013, page 2, paragraph 3 lines 13 and 14 noting the insertion of *"the lease was received in a sealed envelope and has not been opened or reviewed at this time;"* and the words *"final executed"* need to be removed before the word *"lease"* in lines 13 and 14.

An amended motion was made by Mr. Eline, seconded by Mr. Funke to approve the minutes of August 28, 2013 and September 11, 2013 with the changes duly noted. Motion carried.

It was moved by Mr. Eline, seconded by Mr. Funke to approve the payment of the bills. Motion carried.

It was moved by Mr. Eline, seconded by Mr. Funke to approve the report of the Mayor, the Report of the Fire Chief, and 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.) Library Director

Motion carried.

CITIZENS WITH ITEMS OF BUSINESS TO BE BROUGHT BEFORE COUNCIL

Mr. John Flynn, 179 Primrose Lane stated his opposition to the proposed Nature Trail and submitted the following statement:

- 1.) *"The residents living near this proposed construction area do not want this "attractive nuisance" built in their neighborhood. Its construction will damage the wetlands and drive out the deer, mallard ducks, blue herons and other wildlife that live in this natural habitat. These wooded wetlands currently provide a natural barrier between a very active commercial area and a quiet residential neighborhood occupied primarily by elderly retirees and several widows and single women living alone.*
- 2.) *These residents are concerned this project will dramatically change the neighborhood and introduce an area for alcohol and drug abuse and other criminal activity. Chief Smith's resources are currently stretched to their limits and he does not need the additional responsibility of patrolling and responding to criminal activity in this area.*
- 3.) *During a rain storm, these wetlands flood with the rushing storm water runoff from the Clearview area. (This last occurred on September 12, when floodwater backed up over the pavement on the north end of Primrose Lane.) The Hanover Borough would need to repair or replace wooden walkways, gravel pathways, bridges and benches after each rain storm. The Borough does not need another expensive project to maintain.*
- 4.) *The Hanover Borough should return any grant money received from the state or elsewhere and not be concerned about "losing face" when it is returned. We in the neighborhood will support your decision to return it."*

Mr. Brian Frederick, 319 Fox Knoll Court, requested a waiver of the \$500 special event fee for the Hanover Athletic Booster Club's 5K Run/Walk, which is on Council's agenda this evening, stating most of the run is not in the Borough, he is not asking for police assistance, no trash removal will be required and no vendors will be present.

Mr. Matthew Nolan, 39 Sprengle Avenue, read a letter from his son, Matthew, age 9, in opposition to the moving of the Children's area at the library to the first floor.

Ms. Karen Kalina, 441 West Middle Street, stated her support of the Borough's decision to reduce costs to taxpayers by finding alternate solutions to the fund the library costs. Taxpayers cannot afford to continue to pay this debt.

Ms. April Swope, 601 Hanover Street, New Oxford, stated her opposition to the transition of the children's area of the library; and asked Council to find alternate solutions.

Mr. Dan Neiberding, 622 McCosh Street, noted his opposition to the moving of the children's area of the library and criticized the lack of fundraising and lack of transparency.

Ms. Kathryn Hoar, 741 Sheppard Road, Hanover stated she is the spokesperson for the large group in opposition to the leasing of the library. She has written a letter to Solicitor Yingst asking for a response by September 20, 2013, which was not received. She has a petition with 576 signatures asking for a motion to stop the lease with the Guthrie Gals which becomes effective October 1st. A lawsuit will be filed tomorrow September 26, 2013 if the lease is not stopped.

Mr. Dan Lauer, 4625 Grandview Road, who is a property owner in Hanover Borough, questioned if the Guthrie Gals business plan was analyzed and reviewed. Manager Krebs replied that it has been reviewed.

Jim Baumgardner, 540 West Middle Street, stated he attended the Finance & Personnel Committee meeting on September 18th and wanted to know why the library renovation work was not bid. He read an excerpt from the Borough Code regarding this issue. He feels there are violations regarding the bidding process, and is opposed to the reorganization of the library and changes being made.

President Gerken thanked those in attendance for their concerns this evening. Solicitor Yingst will be in contact with Attorney Frey regarding the library issues.

9:22 PM: There was a short recess while citizens exited the meeting.

9:25 PM: The meeting resumed.

REPORTS OF THE STANDING COMMITTEES

Finance & Personnel Committee – Mr. McLin

It was moved by Mr. McLin, seconded by Mrs. Griffin 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>
Dianne Fleming	\$ 32.32	Check #5081
Winand's Pool & Spa	\$169.69	Check #3504
Glenn Lippy Jr. & Tanya Lippy	\$191.25	Check #312

Motion carried.

It was moved by Mr. McLin, seconded by Mr. Hufnagle to authorize 2013 Real Estate Tax Collector Leroy Wentz, 217 Frederick Street, Hanover, Pennsylvania 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>
8/27/2013	\$ 442.22	2013

Motion carried.

It was moved by Mr. McLin, seconded by Mr. Funke to charge 2013 Real Estate Tax Collector Leroy Wentz, 217 Frederick Street, Hanover, Pennsylvania with the collection of additional Real Estate tax per the York County Tax Assessment Office report dated as follows:

<u>Date</u>	<u>Additional Tax</u>	<u>Tax Year</u>
8/27/2013	\$ 1,146.38	2013

Motion carried.

It was moved by Mr. McLin, seconded by Mr. Hufnagle to approve the following requests for sewer billing credits, one time only, for leaks that have since been repaired:

<u>Name</u>	<u>Address</u>	<u>Credit</u>	<u>Account Number</u>
a. Greta Small	25 Maple Avenue	\$427.10	53-0613430-0
b. Linda M. Tyson	440 Carlisle Street Apts.	\$168.75	53-0611320-0

Motion carried.

It was moved by Mr. McLin, seconded by Ms. Hormel to accept the Report of the Adams County Tax Collection Committee - York County Tax Collection Committee Financial Report dated December 31, 2012. Motion carried.

Public Service Committee – Mr. Eline

It was moved by Mr. Eline, seconded by Mrs. Griffin to approve the request of Dianna Orndorff-Boehm, Hanover, PA to close a portion of the alley adjacent 28 West Middle Street for an auction on Thursday, October 10th from 3PM to 8PM, provided a certificate of insurance is submitted naming The Borough of Hanover as additional insured for the alley closure. Motion carried.

It was moved by Mr. Eline, seconded by Mrs. Griffin to advertise and amend the ordinance allowing for installation of banner locations. Motion carried.

It was moved by Mr. Eline, seconded by Mr. McLin to approve the request of Brian R. Frederick, President of the Hanover Athletic Booster Club to hold the 4th Annual Hawk Hustle 5K Race and 1 Mile Run/Walk on Saturday, November 16, 2013 from 9:00 AM to 10:00 AM as per letter, insurance certificate and race route map submitted. Motion carried.

REPORTS OF THE STANDING COMMITTEES

Public Service Committee – Mr. Eline

It was moved by Mr. Eline, seconded by Mr. Funke to deny the request of Brian R. Frederick, President of the Hanover Athletic Booster Club to waive the special event fee of \$500.00 as required under Hanover Borough Council Resolution #1051. Mrs. Griffin and Mr. Funke stated their support of the use of police in this type of event; and it was noted that barricades will need to be provided by the Public Works Department to block the streets for the event. On roll call, the following voted in favor of the motion: Mrs. Griffin, Mr. Funke, Mr. Eline and Mr. Gerken. Mr. McLin, Mr. Connor, Mr. Hufnagle and Ms. Hormel voted in opposition to the motion. The vote was 4 in favor of and 4 in opposition to the motion.

A motion was made by Mr. McLin, seconded by Ms. Hormel to grant the request of Brian R. Frederick, President of the Hanover Athletic Booster Club to waive the special event fee of \$500.00 as required under Hanover Borough Council Resolution #1051. On roll call, the following voted in favor of the motion: Mr. McLin, Mr. Connor, Mr. Hufnagle and Ms. Hormel; voting in opposition were Mrs. Griffin, Mr. Funke, Mr. Eline and Mr. Gerken. Mayor Adams broke the tie of 4 to 4 and voted in favor the motion. Motion passed and carried.

MAYOR'S REPORT

Mayor Adams reported he attended the Art and Music event at Wirt Park on September 14th.

ADJOURNMENT

It was moved by Mr. Funke, seconded by Mr. Hufnagle to adjourn the meeting at 9:42 PM. Motion carried.

Respectfully submitted,



Dorothy C. Miller
Borough Secretary