

March 23, 2015

The March 23rd meeting of Denver Borough Council was called to order at 7:00 p.m. with the following Councilmembers present: Cohick, Fink, Gensemer, Flory, South, Stover, and Daub. The invocation was given by Councilman Daub, which was followed by the Pledge of Allegiance to the Flag.

Citizen's Concerns

There were no citizen's concerns.

Borough Council Comments

Councilman Fink thanked everyone for their thoughts and prayers and stated it was a long five and one-half months (5 ½) and he is feeling good.

Councilman Stover reported that the cardboard dumpster is full and maybe there should be a bigger dumpster for cardboard that can be stationed at the Denver Fire Company parking lot. Borough Manager Michael Hession reported that the Denver Fire Company will discuss this issue at their meeting on April 13th and stated he also can check to see if a bigger dumpster can be placed at that site if approved. Mr. Hession also stated that the current cardboard dumpster is provided at no cost to the Borough and it is scheduled to get emptied tomorrow.

Emergency Management Coordinator Report

Emergency Management Coordinator Andy Boyer reported that he hasn't noticed lately any railroad cars stored on the tracks by Locust Street. Mr. Boyer also reported that he was working on an Incident Action Plan for the storage of these rail cars, which he submitted to the Borough Manager for review.

Police Department Report

Police Chief George Beever reported on the following recent incidents that happened in the Borough: on March 15th at between 1:00 a.m. and 5:30 a.m., the rear window of a vehicle parked on Hawthorne Drive was broken and a pile of potting soil was found in the back seat, but not the pot; on March 15th at 10:35 a.m., officers responded to a residence in the 500 block of Locust Street for a disturbance that was a verbal argument between two (2) people who live in the house and situation was resolved; on March 17th a tractor trailer was turning right off of Main Street onto South 4th Street and struck one of the traffic bollards and traffic light pole; on March 17th a resident on the 400 block of Main Street was arrested on a Lancaster County Bench warrant; on March 18th between 7:00 a.m. and 1:00 p.m., a vehicle parked in the 300 block of Washington Street was struck by another vehicle; on March 19th at 3:00 a.m., officers responded to a verbal domestic disturbance in the 800 block of Evergreen Street; sometime between March 19th and March 20th, a 2009 Ford Fusion was reported stolen from the first block of School Court and was recovered later that morning in the City of Reading up on blocks with all the tires off, but the tires were there; and, on March 20th at 1:20 p.m., officers responded to a one (1) car crash at the Turkey Hill in the 300 block of Main Street where a motorist was turning left into the parking lot, but cut it short and hit a PPL pole and the driver displayed signs of intoxication. Discussion followed.

Denver Fire Company Report

Chief Shannon Hilton was not in attendance.

Police Advisory Board Update

Councilman Gensemer reported that the Police Advisory Board meeting scheduled for Thursday, March 26th has been postponed. Recently there was a meeting between representatives from East and West Cocalico Townships to try to work out some differences concerning liabilities and also Adamstown Borough did not get a chance to meet and respond to the letter from East Cocalico Township. Discussion followed.

Director of Public Work's Report

George Whetsel, Director of Public Works, reported that the Department was working on cleaning up the inside of the Filter Plant where the snow melt and water leaked through the roof. The new roof on the building was finished today. Mr. Whetsel reported that on Saturday, two (2) Public Work employees reported to work to address a clogged sewer main between Evergreen Street and the PA Turnpike. He also reported as a result of the Water Detection Program a water leak was discovered on East Lancaster Avenue. The water leak did not surface and the estimated amount of water leaking per day was 50,000 gallons. The Department excavated and repaired the leak today.

Mr. Whetsel reported that the gas furnace at the Borough Garage should be installed on March 31st. He completed the annual Chapter 94 report and he attended the Zoning Hearing Board meeting concerning the shed on Jay and Jeanette Martin's Property. Mr. Whetsel reported that the new mig welder was picked up, the street sweeping is scheduled for the end of April, and the crack sealing unit will be rented during the week of May 11th. Mr. Whetsel stated that he worked on the Boy Scout Cabin construction permit, the Department relocated two (2) cars at the fire hall to make room for the new dumpster, and he attended a pesticide seminar with Rob Rissler and Scott Mohn. The Department started the sewer manhole inspections; assisted the contractor for the Main Street Bridge project with removing the snow and ice off the bridge; met with the Street Committee to look at the proposed projects for this year; completed a storm sewer location list; and repaired pot holes and worked on stone alleys. Discussion followed. Councilman Cohick inquired since the Walnut Street Bridge is deteriorating is it possible that the Cocalico School District re-route school buses away from the Walnut Street Bridge. Sherri Stull, Business Manager for the Cocalico School District, responded that she will take that request back to the Transportation Director at the school.

Discussion Items

Borough Council discussed the Cocalico School District's Parking, Roads, and Fields Project – Phase 2 Final Land Development Plan including the March 23, 2015 review letter from Hanover Engineering Associates and the recommendation from the Planning Commission that Borough Council grant conditional approval to the Cocalico School District for this project contingent upon the School District complying with the comments from the Borough Engineer and the Borough Solicitor. Discussion followed. Councilman Cohick made a motion, seconded by Councilman Gensemer, to grant approval of the Cocalico School District – Parking, Roads, and Fields Project – Phase 2 Preliminary/Final Land Development Plan (“Plan”) subject to compliance with the March 23, 2015 review letter submitted by Farley Fry from Hanover Engineering Associates, Inc.; subject to the receipt of a fully executed Developer's Agreement and the posting of financial security acceptable to the Borough Manager and Borough Solicitor; subject to the receipt of a fully executed and recorded Storm Water Management Agreement and Declaration of Easement in a form acceptable to the Borough Solicitor; subject to receipt of a final Plan containing all comments and notes required by the Solicitor and Engineer and, subject to the payment of all outstanding review fees and attorney fees. Motion carried unanimously 7 to 0.

Councilman South made a motion, seconded by Councilman Gensemer, to authorize the President or Vice President of Borough Council to execute the Cocalico School District – Parking,

Roads, and Fields Project – Phase 2 Preliminary/Final Land Development Plan upon submission of financial security and compliance with all conditions of approval. Motion carried unanimously 7 to 0.

Councilman Gensemer made a motion, seconded by Councilman Fink, to authorize the President or Vice President of Borough Council to execute a Storm Water Management Agreement relating to the Cocalico School District – Parking, Roads, and Fields Project – Phase 2 Preliminary/Final Land Development Plan Project in a form acceptable to the Borough Solicitor upon receipt of such Agreement executed on behalf of the Cocalico School District. Motion carried unanimously 7 to 0.

Borough Council met with Rachel Weaver and discussed the 2015 Junior Councilperson Program. Ms. Weaver stated she is a junior at Cocalico High School, she plays field hockey, is in the National Honor Society, is in the Leo Club, and stated she thinks this would be a cool experience and would like to know how local government works. Since Mayor Redcay is not in attendance, Ms. Weaver will be sworn in as the next Denver Junior Councilperson at Borough Council's April 13th meeting.

Borough Council discussed the Streetlight Buy-Back Project Meeting with PPL. Councilman Daub reported that he, the Borough Manager, and Todd Stewart, attorney with Hawke, McKeon and Sniscak, met on March 18, 2015 with three (3) representatives from PPL and their attorney. Councilman Daub stated that it was a constructive meeting concerning what the Borough would like to see happen as it relates to purchasing the streetlight fixtures and the poles that are underground feed. Councilman Daub stated that the representatives from PPL seemed relatively receptive and they were going to go back and clarify some things and will get back to the Borough. There is an invoice for \$12,040.00 for PPL to complete an assessment of the poles in the Borough to find out if there are any wires that need to be removed from the poles or any issues that would make it unsafe for a non-qualified person to work on them. PPL will provide a very detailed report of any findings they have along with any potential costs to fix the issues. Mr. Hession reported that PPL also made it clear the Borough needs to pay the invoice before the assessment process starts. The Borough is interested in purchasing all 344 lights and 154 underground fed poles. The Borough should receive a response from PPL sometime this week concerning these items. Following the discussion, Councilman Fink made a motion, seconded by Councilman South, to authorize payment of \$12,040.00 to PPL for the Make Ready Engineering Services related to the sale of the Denver Borough street lights from PPL to Denver Borough contingent on PPL agreeing to sell the Borough the 344 lights and the 154 poles. Motion carried 7 to 0.

Borough Council discussed the recommendations of the Denver Recreation Board concerning the 2015 Denver Community Pool's membership categories, rates, and daily fees. Mr. Hession reported the Recreation Board met and recommended that Borough Council approve offering the Denver resident rates to West Cocalico Township residents. The Recreation Board also recommended creating a new category for memberships called a Household Pass. The Household Pass will be similar to a Family Pass, but will be available to all people living in the same household. For residents, the cost for a Family Pass at the discount rate is \$145.00 and the cost for the resident Household Pass at the discount period is \$190.00. For non-residents, the Family Pass will cost \$170.00 and the Household Pass will cost \$220.00 if purchased by June 12th. The Recreation Board recommended that the Borough create a Non-Swimmer Senior Citizen Pass which will cost \$10.00 for the season. The Recreation Board also recommended increasing the daily rates for all the categories in an effort to encourage pool patrons to buy a membership rather than pay a daily rate. Discussion followed. Councilman Fink made a motion, seconded by Councilman Flory, to accept the Denver Recreation Board's recommendation for the 2015 Denver Community Pool's membership categories, rates, and daily fees. Motion carried unanimously 7 to 0.

Borough Council discussed the 2015 Street Improvement Project including the installation of 13 handicap ramps on North 5th Street between Main Street and Pine Street and the oil and chipping of various development streets in the Borough. Borough Council also discussed the desire to cooperatively bid the oil and chip work with West Cocalico Township, however, the need for an Intermunicipal Agreement and the potential increase in costs due to prevailing wage rates has made this option not feasible for 2015. Mr. Hession reported that the Borough Engineer can use the specifications developed and used in the Borough a couple years ago and can bid out these projects in one (1) bid, but as two (2) separate contracts. Borough Council also agreed to include the driveway in the Denver Memorial Park and Playground on this year's list for oil and chip. Mr. Hession also reported that the Public Works Department will rent a crack sealing machine for a week this year to seal cracks in various streets where needed. Discussion followed. Councilman Stover made a motion, seconded by Councilman Flory, to authorize the Borough Engineer to advertise the bids for the 2015 Ramp Project and the 2015 Oil and Chip Project. Motion carried unanimously 7 to 0.

Action Items

Councilman South made a motion, seconded by Councilman Fink, to approve the March, 2015 Monthly Invoices and Bills Report following the review and approval by the President and Vice President of Borough Council. Motion carried unanimously 7 to 0.

Councilman Flory made a motion, seconded by Councilman Stover, to grant a waiver to the Denver Lions Club from the regulations to file, obtain approval, and record a Final Land Development Plan through the Borough's Subdivision and Land Development Ordinance for the Shoher Family Scout Cabin Project. Motion carried unanimously 7 to 0.

Unfinished Business

Mr. Hession reported that the Borough received notice today that we have been awarded a grant from the TreeVitalize Program to purchase the 50 trees that will be planted at the Denver Park. Earlier tonight the Shade Tree Commission went to the Park to place the 50 stakes marking the planting locations for the trees. Councilman Cohick made a motion, seconded by Councilman South, to authorize the President of Borough Council to execute the Tree Vitalize Grant Agreement between the Pennsylvania Urban and Community Forestry Council and Denver Borough. Motion carried unanimously 7 to 0.

Borough Council discussed the Annual Park Clean Up and Tree Planting Project that will be held on Saturday, April 11th at 9:00 a.m.

Adjournment

Councilman Stover made a motion, seconded by Councilman Gensemer, to adjourn the meeting at 7:55 p.m. Motion carried unanimously 7 to 0.

Michael Hession
Borough Manager/Secretary

Action Items:

- Motion to grant approval of the Cocalico School District – Parking, Roads, and Fields Project – Phase 2 Preliminary/Final Land Development Plan (“Plan”) subject to compliance with the March 23, 2015 review letter submitted by Farley Fry from Hanover Engineering Associates, Inc.; subject to the receipt of a fully executed Developer’s Agreement and the posting of financial security acceptable to the Borough Manager and Borough Solicitor; subject to the receipt of a fully executed and recorded Storm Water Management Agreement and Declaration

of Easement in a form acceptable to the Borough Solicitor; subject to receipt of a final Plan containing all comments and notes required by the Solicitor and Engineer and, subject to the payment of all outstanding review fees and attorney fees. Motion carried unanimously 7 to 0.

- Motion to authorize the President or Vice President of Borough Council to execute the Cocalico School District – Parking, Roads, and Fields Project – Phase 2 Preliminary/Final Land Development Plan upon submission of financial security and compliance with all conditions of approval. Motion carried unanimously 7 to 0.
- Motion to authorize the President or Vice President of Borough Council to execute a Storm Water Management Agreement relating to the Cocalico School District – Parking, Roads, and Fields Project – Phase 2 Preliminary/Final Land Development Plan Project in a form acceptable to the Borough Solicitor upon receipt of such Agreement executed on behalf of the Cocalico School District. Motion carried unanimously 7 to 0.
- Motion to authorize payment of \$12,040.00 to PPL for the Make Ready Engineering Services related to the sale of the Denver Borough street lights from PPL to Denver Borough contingent on PPL agreeing to sell the Borough the 344 lights and the 154 poles. Motion carried 7 to 0.
- Motion to accept the Denver Recreation Board’s recommendation for the 2015 Denver Community Pool’s membership categories, rates, and daily fees. Motion carried unanimously 7 to 0.
- Motion to authorize the Borough engineer to advertise the bids for the 2015 Ramp Project and the 2015 Oil and Chip Project. Motion carried unanimously 7 to 0.
- Motion to approve the March, 2015 Monthly Invoices and Bills Report following the review and approval by the President and Vice President of Borough Council. Motion carried unanimously 7 to 0.
- Motion to grant a waiver to the Denver Lions Club from the regulations to file, obtain approval, and record a Final land Development Plan through the Borough’s Subdivision and Land Development Ordinance for the Shoher Family Scout Cabin Project. Motion carried unanimously 7 to 0.
- Motion to authorize the President of Borough Council to execute the Tree Vitalize Grant Agreement between the Pennsylvania Urban and Community Forestry Council and Denver Borough. Motion carried unanimously 7 to 0.
- Motion to adjourn the meeting at 7:55 p.m. Motion carried unanimously 7 to 0.