

December 28, 2015

The December 28th 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 reported that there are two (2) pot holes on North 4th Street, one (1) by the intersection with Locust Street and the other at the intersection with Park Lane.

Councilman Daub reported that in the past week the Cocalico High School Band was in Disney marching in the Disney Parade and the High School Choral Group was singing in the Candle Light Processional at America in Epcot. Councilman Daub stated that all of the students did a fantastic job.

Emergency Management Coordinator Report

Emergency Management Coordinator Andy Boyer did not have a report.

Police Department Report

Corporal Terry Arment reported that after 32 years of service with 21 of those years as Police Chief, George Beever retired from the East Cocalico Township Police Department. His last working day was December 11th and with his vacation time, he officially will be retired on December 31st. Corporal Arment reported that he has been appointed Officer in Charge (OIC) of the Department moving forward. He has been with the East Cocalico Police Department for 21 years and he provided Borough Council with a summary of his positions with the Department during that time.

Corporal Arment reported that in 2015, as of November 30, 2015, there have been 10,606 calls for service. Of this total, 885 calls were in the month of November and 176 of them were reportable crashes where someone was injured or a vehicle was towed. As of November 30th, the Department had 468 criminal cases, with 246 of those cases having been cleared. In the month of November itself there were 35 criminal cases, with 16 of those cases being cleared. In Denver Borough during November there have been 11 criminal cases and of that total, six (6) have been cleared.

Corporal Arment reported on the following incidents and calls for service in the Borough during the past month: on November 11th there was a report at Ephrata National Bank of several forged checks that a single suspected passed and through the investigation, Larry Woods Jr., 31 of Stevens, PA, was charged with several counts of forgery. Corporal Arment stated that in the course of the investigation, the Police Department spoke with the Ephrata Borough Police Department about a similar incident in Akron Borough and the same suspect also was charged with passing forged checks at the Akron Branch of Ephrata National Bank. On November 22nd, a burglary was reported at 207 North 6th Street where someone forced entry into a detached garage and stole a motorcycle and several other items. Through their investigation the Police learned that the motorcycle was involved in a crash in Philadelphia and that suspect was severely

injured and currently is in a coma. The Philadelphia Police Department is waiting on the suspect's condition to improve before filing charges of receiving stolen property. On November 29th there was a vehicle stopped in the 200 block of North 6th Street which resulted in the driver being arrested for suspicion of DUI, and the driver was under the influence of prescription medication to a level above the legal limit. Discussion followed.

Denver Fire Company Report

Chief Shannon Hilton reported that in 2015 to date there have been 201 calls for service, including 165 emergency calls. During the year, 2,339 members responded with an average of 14.1 men responding per call; a total of 4,379.7 total man hours; an in service rate at 7 ½ hours; and an average response time of time of 3.8 minutes. During the year there were 16 fires and 15 extrications. Chief Hilton also reported that starting January 7th, 18 members of the Fire Company will begin national certification training and their testing will be February 6th. Chief Hilton also is working on planning a date for Borough Council to come tour the Denver Fire Company.

Junior Councilperson Report

Neither Junior Councilperson was in attendance.

Director of Public Work's Report

George Whetsel, Director of Public Works, reported that the Public Works Department completed the end of the month reports and replaced the seal at the Denver Park skate rink. The Department then flooded the rink and the facility should be ready to be frozen as soon as the weather gets colder. The Department also finished the leaf collection for the year; completed all of the equipment servicing of all the trucks; started the brush cutting of the right-of-ways for the Borough's water and sewer lines; replaced the 6" meter register on the main water use meter located at the Upper Reservoir; tested the water in the Cocalico Creek and Little Cocalico Creek; relocated the handicap parking sign and post on Walnut Street because the driver got a new vehicle; repaired pot holes; installed the new Recreation Center sign on the Recreation Center building in the Denver Memorial Park and Playground; hauled 27 loads of debris off the Borough Lot; and finished cleaning up and painting the inside of the Denver Filter Plant. Discussion followed.

Discussion Items

Borough Council discussed the 2016 Denver Borough Draft Budget. They were no further discussions regarding the proposed budget.

Borough Council discussed the Handicapped Parking Space Application submitted by Clyde Goshert, 625 Main Street, Denver. Borough Manager Michael Hession reported that this is the first application the Borough received under the new process which includes an application and an application fee of \$75.00 to help offset some of the costs of advertising the ordinance and posting the signs. Mr. Goshert completed everything he needed to complete in his application and he received the notice from his two (2) neighbors that there was no objections to his request for a handicap parking space. Discussion followed concerning this ordinance and the possibility of including language concerning parking in alleys in the new ordinance to address that issue and to save advertising costs. Councilman Gensemer made a motion, seconded by Councilman

Flory, to authorize the Borough Solicitor to develop and advertise an ordinance to create a handicap parking space at 625 Main Street, Denver. Motion carried unanimously 7 to 0.

Borough Council discussed the status of the disposition of the remaining tract of land located at 1925 North Reading Road. Mr. Hession reported that East Cocalico Township had advertised sealed bids for the sale of the property on two (2) separate occasions and East Cocalico Township did not receive any bids for the purchase of the property. East Cocalico Township now can negotiate the sale of the property directly and inquired if the partnering municipalities had any preferences in the next step to sell the property. Discussion followed concerning possible interest expressed in the property by three (3) parties and the recommendation of West Cocalico Township to auction the property via a public auction with a reserve. Borough Council encouraged East Cocalico Township to reach out to the three (3) parties that showed interest in the property to see if they can negotiate a price for the property and to settle on a price that would be closest to the most recent appraised value for the land.

Borough Council discussed the status of the Borough's inter-fund loan for the sale of the 1975 North Reading Road property. Mr. Hession reported that in September 2014, the Borough paid \$166,085.36 to buy out the Borough's portion of ownership of the property at 1975 North Reading Road. At that time, the Borough used \$100,000.00 from the General Fund Reserve and borrowed \$66,085.36 from the Community & Economic Development Fund with the plan to pay back the Community and Economic Development Fund, plus interest, by December, 2016. To date in 2015 the Borough has reimbursed the Community and Economic Development Fund \$27,000.00, leaving a balance due of \$39,085.36 plus interest. Following tonight's approval of the final bills and invoices for 2015, the Borough's General Fund in 2015 will have received approximately \$9,000.00 more in General Fund revenues than was spent in 2015. Borough Council discussed using 2015 General Fund reserves to pay the balance due plus interest to fully reimburse the Community and Economic Development Fund in 2015. Discussion followed. Councilman Fink made a motion, seconded by Councilman South, to transfer \$39,197.24 from the General Fund to the Community & Economic Development Fund to reimburse the Community & Economic Development Fund the balance due plus interest for the 1975 North Reading Road inter-fund loan. Motion carried unanimously 7 to 0.

Action Items

Councilman South made a motion, seconded by Councilman Stover, to approve the December, 2015 Monthly Invoices and Bills Report. Motion carried unanimously 7 to 0.

Councilman Fink made a motion, seconded by Councilman Gensemer, to adopt Denver Borough's 2016 Budget. Motion carried unanimously 7 to 0.

Councilman Cohick made a motion, seconded by Councilman Gensemer, to adopt Ordinance No. 626 – An Ordinance of the Borough of Denver, Lancaster County, Pennsylvania, Fixing the Rate of Tax on Real Estate for the Year 2016. Motion carried unanimously 7 to 0.

Councilman Fink made a motion, seconded by Councilman Flory, to adopt Resolution No. 812 – Fixing Wages and Compensation for Certain Borough Officers and Employees, Effective January 1, 2016. Motion carried unanimously 7 to 0.

Councilman Cohick made a motion, seconded by Councilman Gensemer, to adopt Resolution No. 813 – A Resolution of Borough Council of the Borough of Denver, Lancaster County, Pennsylvania, Setting Forth the Intention of Borough Council to Use a Designated Portion of the Annual Real Estate Taxes Collected for the Denver Fire Company. Motion carried 6 to 1 with Councilman Flory opposed.

Councilman South made a motion, seconded by Councilman Cohick, to authorize the President of Borough Council to execute the 2016 Pricing for Police Services Agreement between the Borough of Denver and East Cocalico Township. Motion carried unanimously 7 to 0.

Councilman Stover made a motion, seconded by Councilman Flory, to authorize the President of Borough Council to execute the Shoher Family Scout House Agreement. Motion carried unanimously 7 to 0.

Councilman South made a motion, seconded by Councilman Flory, to contract with Leslie Rhoads, Independent Contractor, to complete the Denver Borough Floodplain Ordinance review and update at a total cost of \$750.00. Motion carried unanimously 7 to 0.

Unfinished Business

Councilman Fink thanked everyone for the last two (2) terms on Borough Council and stated that it has been a pleasure working with everyone.

Councilman Daub thanked Councilman Fink and Councilman Cohick for their service, which at times can be very stressful and challenging.

Mr. Hession reminded everyone that the next meeting of Borough Council is the Re-Organization Meeting which will be held on Monday, January 4th. The newly elected members of Borough Council should be at the Municipal Building at 6:30 p.m. to sign their Affidavit of Residency Forms and to be administered the Oath of Office prior to the 7:00 p.m. start of the Borough Council meeting.

John Weaver asked about the one (1) opposing vote for the Resolution concerning the Borough's donation to the Denver Fire Company and wanted to know why the member of Borough Council was opposed to the Resolution. Councilman Flory responded that his reasoning on why he voted that way he did is that he doesn't feel that the Fire Company needs \$85,000.00 and no other volunteer fire companies in the area are receiving that much of a donation and they are surviving. Discussion followed concerning the donation, the results of the previous fire service study and the recommendation for the annual donation, the availability of these funds in the Borough's budget, and whether or not the Borough should consider raising taxes to help fund these initiatives.

Adjournment

Councilman Stover made a motion, seconded by Councilman Fink, to adjourn the meeting at 7:46 p.m. Motion carried unanimously 7 to 0.

Michael Hession
Borough Manager/Secretary

Action Items:

- Motion to authorize the Borough Solicitor to develop and advertise an ordinance to create a handicap parking space at 625 Main Street, Denver.
- Motion to transfer \$39,197.24 from the General Fund to the Community & Economic Development Fund to reimburse the Community & Economic Development Fund the balance due plus interest for the 1975 North Reading Road inter-fund loan. Motion carried unanimously 7 to 0.

- Motion to approve the December, 2015 Monthly Invoices and Bills Report. Motion carried unanimously 7 to 0.
- Motion to adopt Denver Borough's 2016 Budget. Motion carried unanimously 7 to 0.
- Motion to adopt Ordinance No. 626 – An Ordinance of the Borough of Denver, Lancaster County, Pennsylvania, Fixing the Rate of Tax on Real Estate for the Year 2016. Motion carried unanimously 7 to 0.
- Motion to adopt Resolution No. 812 – Fixing Wages and Compensation for Certain Borough Officers and Employees, Effective January 1, 2016. Motion carried unanimously 7 to 0.
- Motion to adopt Resolution No. 813 – A Resolution of Borough Council of the Borough of Denver, Lancaster County, Pennsylvania, Setting Forth the Intention of Borough Council to Use a Designated Portion of the Annual Real Estate Taxes Collected for the Denver Fire Company. Motion carried 6 to 1 with Councilman Flory opposed.
- Motion to authorize the President of Borough Council to execute the 2016 Pricing for Police Services Agreement between the Borough of Denver and East Cocalico Township. Motion carried unanimously 7 to 0.
- Motion to authorize the President of Borough Council to execute the Shober Family Scout House Agreement. Motion carried unanimously 7 to 0.
- Motion to contract with Leslie Rhoads, Independent Contractor, to complete the Denver Borough Floodplain Ordinance review and update at a total cost of \$750.00. Motion carried unanimously 7 to 0.
- Motion to adjourn the meeting at 7:46 p.m. Motion carried unanimously 7 to 0.