

**January 4, 2016**

The January 4<sup>th</sup> Reorganization meeting of Denver Borough Council was called to order at 7:00 p.m. by Mayor Redcay. The invocation was given by Mayor Redcay, which was followed by the Pledge of Allegiance to the Flag.

Roll Call

The roll call was taken with the following Councilmembers present: Junior Councilpersons Wallace, Junior Councilperson Weaver, Stewart, Palm, Daub, Gensemer, Flory, South, Stover, and Mayor Redcay.

Nomination and vote for President of Borough Council.

Mayor Redcay opened the nominations for President of Borough Council. Councilman Flory nominated Councilman Daub for President of Borough Council. Councilman Gensemer seconded this nomination. There being no additional nominations, Councilman Gensemer made a motion, seconded by Councilman Stewart, to close the nominations for President of Borough Council. Motion carried unanimously 7 to 0. Mayor Redcay called for a vote for the nomination of Councilman Daub as President of Borough Council and the action carried 6 to 0 with Councilmen Gensemer, Stewart, Palm, Flory, South, and Stover voting yes. Councilman Daub abstained from the vote.

Nomination and vote for Vice President of Borough Council.

Mayor Redcay opened nominations for Vice President of Borough Council. Councilman Gensemer nominated Councilman Flory for Vice President of Borough Council. Councilman South seconded that nomination. There being no additional nominations, Councilman Gensemer made a motion, seconded by Councilman Stewart, to close the nominations for President of Borough Council. Motion carried unanimously 7 to 0. Mayor Redcay called for a vote for the nomination of Councilman Flory as Vice President of Borough Council and action carried 6 to 0 with Councilmen Stewart, Palm, Daub, Gensemer, South, and Stover voting yes. Councilman Flory abstained from the vote.

Nomination and vote for Chairman Pro Tem to preside in the absence of the President and Vice President of Borough Council if there is a quorum of Borough Council Present.

Mayor Redcay opened nominations for Chairman Pro Tem to preside in the absence of the President and Vice President of Borough Council if there is a quorum of Borough Council present. Councilman Flory nominated Councilman South for Chairman Pro Tem. Councilman Gensemer seconded this motion. There being no additional nominations, Councilman Daub made a motion, seconded by Councilman Stewart to close the nominations for Chairman Pro Tem. Motion carried unanimously 7 to 0. Mayor Redcay called for a vote for the nomination of Councilman South as Chairman Pro Tem of Borough Council and the action carried 6 to 0 with Councilmen Gensemer, Stewart, Palm, Daub, Flory, and Stover voting yes. Councilman South abstained from the vote.

Appointment of the Vacancy Board Chair

Borough Council discussed the open seat for Chairperson of the Borough Vacancy Board. The Vacancy Board consists of a member of Borough Council exclusive of the Mayor and one (1) registered elector of the Borough who is appointed by Borough Council at Borough

Council's first's meeting each calendar year or soon thereafter as practical and who shall act as chairman of the Vacancy Board. This appointment was tabled for another Borough Council meeting.

Mayor Redcay turned the gavel and the chair over to Borough Council President Daub.

#### Citizen's Concerns

There were no citizen's concerns.

#### Meeting Minutes

Councilman Stover made a motion, seconded by Councilman South, to approve the December 14, 2015 and December 28, 2015 meeting minutes. Motion carried unanimously 7 to 0.

#### Borough Council President

Councilman Daub reported that he does not have a report tonight, but thanked Borough Council for their confidence in him by reappointing him as Borough Council President.

#### Mayor

Mayor Redcay reported he was away most of December and does not have a report.

#### Junior Councilperson

Junior Councilperson Weaver reported that she was out of the county so she does not have a report.

Junior Councilperson Wallace reported that he is looking forward to a promising year for the town of Denver and thinks things will be looking up with the new Borough Council.

#### Borough Manager

Borough Manager Michael Hession reported on the following unaudited fund balances for the end of 2015: General Fund revenues of \$1,362,265.44 and General Fund expenditures \$1,325,168.87, with a difference of \$37,096.57. Mr. Hession reported that the General Fund reserve balance is \$490,959.00, which is 26% of the General Funds 2016 budgeted expenditures. Mr. Hession reported that in 2015, Water Fund the revenues exceeded the Water Fund expenditures by \$21,347.20 and the Water Fund balance as of December 31, 2016 was \$247,559.74. In the Sewer Fund, revenues exceeded expenditures by \$19,816.15 and the Sewer Fund's reserve balance as of December 31, 2016 totaled \$354,507.32.

Mr. Hession reported that Borough Council has been provided with a copy of the Certification of Uncollected Real Estate Taxes and there is a motion to authorize the Borough Council President to execute this Certification later in the meeting. As per the report, there are 17 property owners that did not pay their municipal real estate taxes in 2015 and total due to the Borough is \$9,126.81. That balance due will be transferred to the County for collection and reimbursement to the Borough.

Mr. Hession reported that he prepared a revised Meeting Agenda and the only change made was to include the December 2015 water use and sewer gallons. Mr. Hession also reported that the Borough received notice today that the county-wide reassessment has been delayed for a year due to software customization work. The re-assessment values will take effect on January 1,

2018. Preliminary notices will be mailed out March, 2017, and final notices will be mailed out in June, 2017.

Mr. Hession reported that there was a water leak this morning in the 300 block of Walnut Street on a service lateral. The lateral was repaired and the Borough was not required to issue a boil water advisory.

Mr. Hession reported that during tonight's meeting, Borough Council will take action on the appointments of Borough staff, professional services, and volunteer boards, committees, and commissions. Following the appointments of the new members, all vacancies on these boards and commissions will be filled.

Mr. Hession reported that the Borough received a request today from Trinity United Methodist Church for Borough Council to consider renewing their authorization to hold a yard sale on the second Friday and Saturday of the month from 8:00 am to 12:00 pm., to raise monies to assist with community outreach services. Borough Council has renewed this permit in the past and action to renew the permit for an additional year will be considered by Borough Council during tonight's meeting.

#### Discussion Items

Borough Council discussed the status of the Borough Lot and the acceptance of grass clippings, leaves, dirt, and other matter at this facility. Councilman Daub provided an overview of the history of this discussion and facility and discussed the concerns the Borough has about runoff from the Borough Lot as well as the need to dump these materials on the Borough's well property in East Cocalico Township. Discussion followed regarding whether the Borough will continue to accept grass clippings, leaves, dirt, and other matter at the facility. Borough Council requested that the Borough look at what is being done in other communities and to develop some options and costs associated with this issue to be discussed at the next Borough Council meeting.

#### Action Items

Councilman South made a motion, seconded by Councilman Stover, to appoint Michael Hession as the Borough Manager/Secretary, Barbara Artz as the Administrative Assistant/Treasurer/Assistant Secretary, and George Whetsel as the Director of Public Works. Motion carried unanimously 7 to 0.

Councilman Palm made a motion, seconded by Councilman Flory, to appoint Michael Hession as Code Enforcement Officer and Randy Maurer from Associated Building Inspections, Inc. as Code Enforcement Officer. Motion carried unanimously 7 to 0.

Councilman South made a motion, seconded by Councilman Stewart, to appoint Robert Getz as the Rental Housing Inspector. Motion carried unanimously 7 to 0.

Councilman Stover made a motion, seconded by Councilman Palm, to appoint George Whetsel as Zoning Officer and Building Code Official. Motion carried unanimously 7 to 0.

Councilman Gensemer made a motion, seconded by Councilman Stewart, to appoint the firm of Zimmerman, Pfannebecker, Nuffort, and Albert as Borough Solicitor. Motion carried unanimously 7 to 0.

Councilman Stover made a motion, seconded by Councilman Palm to appoint A. Anthony Kilkuskie as Zoning Hearing Board Solicitor. Motion carried unanimously 7 to 0.

Councilman South made a motion, seconded by Councilman Stover, to appoint Hanover Engineering Associates, Inc. to serve as the Borough's municipal engineer covering the areas of

water, sewer, land use planning, storm water, and Geographic Information Systems. Motion carried unanimously 7 to 0.

Councilman Flory made a motion, seconded by Councilman Gensemer, to appoint Rettew Associates to serve as the Borough's engineer for municipal road and street improvement projects and planning. Motion carried unanimously 7 to 0.

Councilman South made a motion, seconded by Councilman Palm, to appoint Christopher Taylor from Hanover Engineering, Inc. to serve as the Borough's Primary Sewage Enforcement Officer and Scott Brown from Hanover Engineering, Inc. to serve as Alternate Sewage Enforcement Officer. Motion carried unanimously 7 to 0.

Councilman Stover made a motion, seconded by Councilman Stewart, to appoint Sandy Flory to a four (4) year term on the Denver Planning Commission, which term shall expire on December 31, 2019. Motion carried 6 to 0 with Councilman Flory abstaining from the vote.

Councilman Palm made a motion, seconded by Councilman Gensemer, to appoint Lou Casanova, Donald Johnson, and Michael Styer each to a three (3) year term on the Denver Borough Recreation Board, which terms shall expire on December 31, 2018. Motion carried unanimously 7 to 0.

Councilman Stover made a motion, seconded by Councilman Palm, to appoint Danny Rabold to a five (5) year term on the Denver Borough Shade Tree Commission, which term shall expire on December 31, 2020. Motion carried unanimously 7 to 0.

Councilman Gensemer made a motion, seconded by Councilman Stewart, to appoint Michael Cohick to fill the vacant term on the Denver Borough Shade Tree Commission, which term shall expire on December 31, 2019. Motion carried unanimously 7 to 0.

Councilman Stewart made a motion, seconded by Councilman Palm, to adopt Resolution No. 814 – A Resolution Re-Appointing Allan Meckley to a Three (3) Year Term on the Denver Zoning Hearing Board. Motion carried 6 to 1 with Councilman Stover voting no.

Councilman South made a motion, seconded by Councilman Stover, to adopt Resolution No. 815 – A Resolution Appointing John K. Weaver to fill the balance of the vacant term on the Denver Zoning Hearing Board, Which Term Shall Expire on December 31, 2017. Motion carried 6 to 1 with Councilman Palm voting no.

Councilman Flory made a motion, seconded by Councilman Gensemer, to adopt Resolution No. 816 – A Resolution of the Borough Council of the Borough of Denver, Lancaster County, Pennsylvania, Approving the Denver Fire Company's 2016 Activities – Workers Compensation Insurance. Motion carried unanimously 7 to 0.

Councilman Palm made a motion, seconded by Councilman Flory, to adopt Resolution No. 817 – A Resolution of the Borough Council of the Borough of Denver, Lancaster County, Pennsylvania, Authorizing the Volunteer Fire Police of the Borough of Denver to Participate in Non-Emergency Events during the Calendar Year of 2016. Motion carried unanimously 7 to 0.

Councilman South made a motion, seconded by Councilman Stewart, to authorize the President of Borough Council to execute the 2015 Lancaster County Tax Claim Bureau Certification of Uncollected Real Estate Taxes Report from the Denver Borough Tax Collector. Motion carried unanimously 7 to 0.

Councilman Flory made a motion, seconded by Councilman Stover, to approve the request from Janet Rettew, Chairperson of the Trinity United Methodist Church's God's Helping Hands, for authorization to hold a yard sale on the second Friday and Saturday of every month from 8:00 a.m. to 12:00 p.m. from February 2016 to February 2017 to raise funds to assist with community outreach. Motion carried unanimously 7 to 0.

### Unfinished Business

Councilman Gensemer discussed the vacancy for a Chairperson for the Borough Vacancy Board and asked Walter Fink who was in attendance if he would be interested in filling the position. Mr. Fink agreed to fill that position. Councilman Gensemer made a motion, seconded by Councilman Stover, to appoint Walter Fink as the Chairperson for Denver Borough's Vacancy Board. Motion carried unanimously 7 to 0.

Mayor Redcay reported that while he was away he received an email from Doug Heilman on Weaver Road thanking the Public Works employees who helped fix the water problem he had at his home.

Mayor Redcay thanked Walter Fink for all of his service to the Borough over the years.

Councilman Gensemer reported that there will be Zone 1 Fire Police meeting scheduled for January 20<sup>th</sup> at the Akron Fire Hall at 7:00 p.m. Councilman Gensemer stated Ronald Petery, Denver Fire Police Captain, has or will be inviting all Councilmembers and Supervisors from the municipalities in Zone 1 to attend the meeting. He also reported that there is some concern that the fire police are not being monitored by the county radios. They are doing their job and not necessarily being monitored for their own safety. The County Commissioners have been invited and Matt Shank a supervisor in the 911 Center also has been invited.

### Adjournment

Councilman Stover made a motion, seconded by Councilman Gensemer, to adjourn the meeting at 7:34 p.m. Motion carried unanimously 7 to 0.

Michael Hession  
Borough Manager/Secretary

### **Action Items:**

- Motion to close the nominations for President of Borough Council. Motion carried unanimously 7 to 0.
- Mayor Redcay called for a vote for the nomination of Councilman Daub as President of Borough Council and the action carried 6 to 0 with Councilmen Gensemer, Stewart, Palm, Flory, South, and Stover voting yes. Councilman Daub abstained from the vote.
- Motion to close the nominations for President of Borough Council. Motion carried unanimously 7 to 0.
- Mayor Redcay called for a vote for the nomination of Councilman Flory as Vice President of Borough Council and action carried 6 to 0 with Councilmen Stewart, Palm, Daub, Gensemer, South, and Stover voting yes. Councilman Flory abstained from the vote.
- Motion to close the nominations for Chairman Pro Tem. Motion carried unanimously 7 to 0.
- Mayor Redcay called for a vote for the nomination of Councilman South as Chairman Pro Tem of Borough Council and the action carried 6 to 0 with Councilmen Gensemer, Stewart, Palm, Daub, Flory, and Stover voting yes. Councilman South abstained from the vote.

- Motion to approve the December 14, 2015 and December 28, 2015 meeting minutes. Motion carried unanimously 7 to 0.
- Motion to appoint Michael Hession as the Borough Manager/Secretary, Barbara Artz as the Administrative Assistant/Treasurer/Assistant Secretary, and George Whetsel as the Director of Public Works. Motion carried unanimously 7 to 0.
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- Motion to appoint the firm of Zimmerman, Pfannebecker, Nuffort, and Albert as Borough Solicitor. Motion carried unanimously 7 to 0.
- Motion to appoint A. Anthony Kilkuskie as Zoning Hearing Board Solicitor. Motion carried unanimously 7 to 0.
- Motion to appoint Hanover Engineering Associates, Inc. to serve as the Borough's municipal engineer covering the areas of water, sewer, land use planning, storm water, and Geographic Information Systems. Motion carried unanimously 7 to 0.
- Motion to appoint Rettew Associates to serve as the Borough's engineer for municipal road and street improvement projects and planning. Motion carried unanimously 7 to 0.
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- Motion to appoint Sandy Flory to a four (4) year term on the Denver Planning Commission, which term shall expire on December 31, 2019. Motion carried 6 to 0 with Councilman Flory abstaining from the vote.
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- Company's 2016 Activities – Workers Compensation Insurance. Motion carried unanimously 7 to 0.
- Motion to adopt Resolution No. 817 – A Resolution of the Borough Council of the Borough of Denver, Lancaster County, Pennsylvania, Authorizing the Volunteer Fire Police of the Borough of Denver to Participate in Non-Emergency Events during the Calendar Year of 2016. Motion carried unanimously 7 to 0.
  - Motion to authorize the President of Borough Council to execute the 2015 Lancaster County Tax Claim Bureau Certification of Uncollected Real Estate Taxes Report from the Denver Borough Tax Collector. Motion carried unanimously 7 to 0.
  - Motion to approve the request from Janet Rettew, Chairperson of the Trinity United Methodist Church's God's Helping Hands, for authorization to hold a yard sale on the second Friday and Saturday of every month from 8:00 a.m. to 12:00 p.m. from February 2016 to February 2017 to raise funds to assist with community outreach. Motion carried unanimously 7 to 0.
  - Motion to appoint Walter Fink as the Chairperson for Denver Borough's Vacancy Board. Motion carried unanimously 7 to 0.
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