

**February 24, 2014**

The February 24<sup>th</sup> meeting of Denver Borough Council was called to order at 7:00 p.m. with the following Councilmembers present: Junior Councilperson Shupp, Cohick, Flory, South, Stover, Daub, and Mayor Redcay. The invocation was given by Mayor Redcay, which was followed by the Pledge of Allegiance to the Flag.

Citizen's Concerns

Gary Read reported that on Saturday evening, February 15<sup>th</sup>, the Borough dump truck was seen spreading salt with two (2) occupants and he inquired why. Director of Public Works George Whetsel explained that the backhoe is taken down to the salt shed to load the dump truck. Instead of having one (1) employee just sitting there in the backhoe waiting for the other employee to come back after he uses all of the salt, that employee will ride with the dump truck operator to assist until he is needed to reload the truck the second time. Discussion followed on how the workers handle loading the salt into the trucks and spreading salt the most effective way. Mr. Read also inquired how long the worker was in the truck on Saturday. Mr. Hession will research that information and report back to Mr. Read.

Gary Read inquired about the Borough's backhoe being struck by the locomotive on Wabash Road when it was going to refuel at Weaver Brothers. Mr. Read stated that it seems like a waste of equipment being out of service, and also the Borough is paying an employee one (1) to one and one-half (1 ½) hours to ride over to fuel a backhoe. Mr. Read wanted to know if any arrangement could be made for the Borough to get diesel fuel at a facility in the Borough. Discussion followed regarding the Borough traveling to Weaver Brothers for about the last three (3) years to fuel the dump truck, and backhoe since Leffler Brothers stopped offering diesel fuel at their location in the Borough. Mr. Whetsel stated that it only takes about approximately 25 minutes to go to and from Weaver Brothers and the Fire Company and Purcell Construction also get fuel there. Borough Manager Michael Hession stated that about a year ago there was discussion about the Borough partnering with the Cocalico School District to upgrade the School's diesel fuel facility, however, at this time, the School District has not pursued this issue further. Discussion followed.

Emergency Management Coordinator Report

Emergency Management Coordinator Andrew Boyer reported that he conducted the monthly siren test; the quarterly training that was scheduled for February 15<sup>th</sup> was canceled because of the snow; and he attended a meeting concerning the development of an Incident Action Plan (IAP) concerning the fireworks at the Denver Fair.

Police Department Report

Chief Beever reported that on February 6<sup>th</sup> at 5:30 p.m., a resident in the 300 block of Main Street was charged with Disorderly Conduct after a disturbance at his residence and the same individual was charged with Criminal Mischief and Disorderly Conduct after a disturbance at his residence on February 15<sup>th</sup> at 7:20 p.m. He also reported that there was a vandalism incident at Green Lawn Garage on Lancaster Avenue between 10:00 PM and 11:00 PM on February 9<sup>th</sup>; the officers responded twice to a residence in the 100 block of Hawthorne Drive in a span of a couple of days for a dog barking complaint and on the first occasion the owner was issued a warning and on the second the owner was issued a citation; on February 14<sup>th</sup>, a 15 year old juvenile was found to be under the influence of alcohol at the high school; and on February 23<sup>rd</sup>, an officer responded to a residence in the 500 block of Main Street for a dog barking continuously and because the dog owner had been previously warned, the owner of the dog was cited for violation of the Ordinance. Discussion followed.

### Denver Fire Company Report

Denver Fire Chief Shannon Hilton was not in attendance.

### Director of Public Work's Report

Mr. Whetsel reported that the Department has been very busy with the different snow events; salting, plowing, and removing snow. They also have been doing maintenance on the Western Snow Plow which currently is in two (2) parts. The Department completed the end of the month reports and the insurance reimbursement for the Borough's backhoe has been received and the final repairs have been scheduled. Mr. Whetsel reported that the alleys in the Borough are in bad shape with packed down snow/ice. Due to the low salt supply and the delay in getting salt deliveries, the Department did not salt the alleys in order to make sure we have a supply of salt to use on the roadways in the Borough. Mr. Whetsel reported that the Borough currently has enough for one (1) more snow event and a shipment of salt is supposed to arrive this week.

Mr. Whetsel reported that there are numerous potholes around town, but the problem with fixing them right now is there is water running into them and they can't be fixed when they are filled with water. The Department has to wait until they dry up to fix them. Mr. Whetsel reported that he will be attending a seminar on Tuesday about Planning for the Future. Discussion followed.

### Junior Councilperson Report

Junior Councilperson Shupp reported that this past Thursday and Friday over 40 students participated in the 30 hour Famine to raise money for child poverty and starvation. Junior Councilperson Shupp also reported that this week at the Cocalico School District is Random Acts of Kindness week; the Iron Chef fundraising event, which benefits the Cocalico Education Foundation, is scheduled for Sunday, March 2<sup>nd</sup>; and spring sports will begin next week.

### Discussion Items

Borough Council discussed the draft Request for Proposal (RFP) For Municipal Solicitor packet. Mr. Hession provided Borough Council with a sample RFP to review and to discuss whether there are any changes and/or additions. The tentative schedule is to distribute the RFPs to individuals and law firms in the area and to request responses by March 31, 2014. The committee established by Borough Council (Councilman Cohick, Fink, and Gensemer) will review the RFP responses with the Borough Manager and schedule any meetings or interviews with the applicants. The draft RFP is based on similar RFPs that have been used by various townships located throughout the Commonwealth. Discussion followed concerning the process and whether there is any cost with distributing and reviewing the RFPs. Borough Council confirmed that at this time, as long as the Borough does not have to advertise the RFPs, the only costs associated with this process are staff time to distribute and receive the RFPs and postage costs.

### Action Items

Councilman Stover made a motion, seconded by Councilman South, to approve the February, 2014 monthly invoices and bills report. Motion carried unanimously 5 to 0.

Councilman Cohick made a motion, seconded by Councilman Flory, to adopt Resolution No. 783 – A Resolution of the Borough Council of the Borough of Denver, Lancaster County, Pennsylvania, Authorizing Members of Borough Council to participate in Meetings of Borough Council By Means of Telecommunication Devices, Such As Telephones or Computer Terminals. Motion carried unanimously 5 to 0.

Councilman Flory made a motion, seconded by Councilman Stover, to adopt Resolution No. 784 – A Resolution Amending the Denver Borough Council Rules of Order. Motion carried unanimously 5 to 0.

Councilman South made a motion, seconded by Councilman Flory, to authorize the President or Vice President of Borough Council to execute the Letter of Agreement for Usage of Facility For the Purpose of Voting between the Borough of Denver and the County of Lancaster Board of Elections and Registration Commission. Motion carried unanimously 5 to 0.

#### Executive Session

Councilman South made a motion, seconded by Councilman Cohick, to recess into an Executive Session at 7:26 p.m. to discuss personnel issues. Motion carried unanimously 5 to 0.

Councilman South made a motion, seconded by Councilman Stover, to reconvene into Regular Session at 7:55 p.m. Motion carried unanimously 5 to 0.

#### Unfinished Business

Councilman Cohick questioned the issues concerning the review of the Borough Solicitor and the need to request RFPs from other firms. Discussion followed concerning the police issues discussed in 2013 and the role of the Borough Solicitor as well as the issues that were presented from East Cocalico Township. Discussion followed concerning the RFP process for the Borough Solicitor.

Councilman Flory asked about having snow removed and/or pushed back further at the entrances of alleys in the Borough to improve access for trash trucks picking up trash in the Borough. He recently witnessed a trash truck that had to back into the alley entrance and the employee had to walk down the alley to bring the trash to the truck due to the restrictions caused by the snow.

#### Adjournment

Councilman Flory made a motion, seconded by Councilman Stover, to adjourn the meeting at 8:04 p.m. Motion carried unanimously 5 to 0.

Michael Hession  
Borough Manager/Secretary

#### **Action Items:**

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- Motion to authorize the President or Vice President of Borough Council to execute the Letter of Agreement for Usage of Facility For the Purpose of Voting between the Borough of Denver and the County of Lancaster Board of Elections and Registration Commission. Motion carried unanimously 5 to 0.
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- Motion to reconvene into Regular Session at 7:55 p.m. Motion carried unanimously 5 to 0.
- Motion to adjourn the meeting at 8:04 p.m. Motion carried unanimously 5 to 0.