

March 31, 2014

The March 31st meeting of Denver Borough Council was called to order at 7:00 p.m. with the following Councilmembers present: Jr. Councilperson Shupp, Cohick, Fink, Gensemer, 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

Donald Wenger inquired if a new bulletin board can be put in in front of Fulton Bank because the current sign looks like it is about to fall apart. Discussion followed on who originally installed the sign, who is responsible for it, and whether this could be a future Eagle Scout Project.

Emergency Management Coordinator Report

Emergency Management Coordinator Andy Boyer reported that he conducted the monthly siren test; he attended the Fireworks IAP Committee meeting; he reviewed the Denver Nursing Home's Safety Plan; and he reviewed the Borough's Emergency Management Plan Update.

Police Department Report

Chief George Beever reported that on February 27th there were two (2) incidents at the high school, one (1) at 7:30 a.m. were two (2) juveniles were charged with a disturbance and the other one (1) at 9:35 a.m. were a juvenile was charged with an offense. He also reported that on March 1st a resident in the 100 block of Hawthorne Drive was charged with a violation in regards to loud music; on March 24th someone threw a brick through a passenger side window of a vehicle parked in the 400 block of South 4th Street; during the night of March 26th thru 27th, a purse was stolen from a locked vehicle parked on Holly Lane; on March 27th two (2) tires were slashed on a vehicle parked in the 900 block of Sycamore Drive and, on that same day, three (3) juveniles at the Cocalico School District may be charged after they were found to be under the influence of prescription medication that was not prescribed to them. On Friday March 28th, at a residence of two (2) elderly sisters in the 300 block of Lancaster Avenue, a man entered the residence when only one (1) of the sisters were at home and claimed to be from gas and water company and told her the water was contaminated and asked for an amount of money to fix the issue and when she replied she did not have any money he left. Chief Beever also reported that on March 30th, all four (4) tires were slashed on a vehicle in the 300 block of Main Street. Chief Beever also reported that one (1) of the officers attended the Fireworks IAP Committee meeting. Discussion followed.

Denver Fire Company Report

Chief Shannon Hilton reported that the Denver Fire Company has responded to a total of 58 calls so far this year with 14 calls happening in March. Chief Hilton also reported that three (3) firefighters are finishing up their vehicle rescue technician training this week and two (2) firefighters will be testing this week for Firefighter One.

Police Advisory Board Update

Councilman Mike Gensemer reported that on March 27th, he attended a Police Advisory Board meeting along with Citizen Representative John Weaver, Councilmen Flory, Councilman Cohick, and Borough Manager Michael Hession. During the meeting the Police Advisory Board reviewed the draft charter item by item, and it was decided that the Citizen-at-Large on the Police Commission would be elected for a two (2) year term rather than a one (1) year term and the term will rotate between municipalities. The Board also discussed the fact that seven (7) or eight (8) items will require

unanimous approval and there was some concern if a municipality wants to get out of the regional force, then it would require unanimous approval. This provision is for the initial five (5) years of the draft and there is no charge to get out and it was agreed for everybody to commit for five (5) years unless they were asked to get out or wanted to get out by a unanimous vote of the Commission. Discussion followed.

Director of Public Work's Report

George Whetsel, Director of Public Works, reported that Councilman Stover and Councilman Flory were both given a tour of the Borough's facilities at different times by Department staff. During the past month, the Department completed the end of the month reports for the water and sewer systems. On Tuesday, March 8th, Mr. Whetsel will be attending a seminar in order to maintain his West Nile Certification. On April 15th, Doug Enck and Zack Knoll will be attending a seminar for their water and sewer licenses. Mr. Whetsel reported that the Department replaced some street name signs on the north end of the Borough; completed the end of the year reports for the Susquehanna River Basin Commission and DEP; finished a few more repairs to the backhoe; continued to haul and pack snow; made repairs to the snow plow on Truck 7; repaired pot holes throughout the town; repaired stone alleys in the Borough; and hauled two (2) loads of metal and brass to the recycle yard in Ephrata. Also, during the past month, Jerry Harding from Harding Yost Insurance Associates treated the Public Works Department to pizza and soda as a thank you for the snow removal in the Borough.

Mr. Whetsel also reported that the Department installed another outlet in the Park Annex Barn; installed triple chargers on the portable generator to keep those batteries charged at all times; installed valves on all the water lines in the Denver Memorial Park restrooms to be able to isolate a leak if a repair needs to be made; started working on additional storage in the Park Annex Barn; patched the Walnut Street Bridge; installed the "No Trucks" sign on Main Street by the Weaver Road Bridge; installed the "Pick up After your Dog" sign on Hawthorne Drive; finished approximately 99% of the Reservoir Pump House roof repairs; fixed numerous sign posts that were knocked down; and started spring cleaning on rainy days. The Department also located and made a master list of all the storm sewers in the Borough because when the roads were snow covered it was difficult to locate them to remove the snow. Discussion followed.

Junior Councilperson Report

Jr. Councilperson Shupp reported that on March 8th, the Cocalico High School held their Mini-Thon and together they raised a total of \$7,100.00. Jr. Councilperson Shupp also reported that on April 5th the Aevium Clubs from around the county will gather together at the Cocalico High School to participate in workshops; spring sports are off to a good start even though some teams had to deal with weather issues; on April 10th the German exchange students will be coming to Cocalico and staying until April 29th; and High School graduation has been set for June 6th. Jr. Councilperson Shupp also posted a sign-up sheet at the High School for students to volunteer to help out at the Denver Memorial Park Clean-Up on Saturday, April 5th.

Discussion Items

Borough Council discussed the disposition of the property located at 1975 North Reading Road, Denver. Mr. Hession reported that East Cocalico Township is looking to see if the municipalities are interested in selling the property and if so, whether they are interested in setting a minimum bid, and how to proceed with the sale. Discussion followed. Councilman Fink made a motion, seconded by Councilman Gensemer, to notify East Cocalico Township, West Cocalico Township, and Adamstown Borough that Denver Borough Council desires that the property located at 1975 North Reading Road be sold by either sealed bid or public auction, at an appropriate price, in

accordance with Section 1503 of the Second Class Township Code, within 180 days after not less than three (3) of the four (4) municipalities informing all other municipalities that a sale of the Real Property is desired. Motion carried unanimously 7 to 0.

Borough Council discussed Resolution No. 785 - A Resolution of Denver Borough, Lancaster County, Pennsylvania, Determining That It Is Necessary To Insert An Escalator Clause In Its Bidding Documents and Contracts For Road Materials. Mr. Hession reported that an escalator clause was recommended because of the volatility in the price of paving macadam and oil. There also was a concern if there wasn't an escalator clause some contractors would not bid and some may raise their Bid price to reflect that possibility. Discussion followed. Councilman Stover made a motion, seconded by Councilman South, to approve Resolution No. 785 - A Resolution of Denver Borough, Lancaster County, Pennsylvania, Determining That It Is Necessary To Insert An Escalator Clause In Its Bidding Documents and Contracts For Road Materials. Motion carried unanimously 7 to 0.

Borough Council discussed the proposed Ordinance to Amend the Code of Ordinances of the Borough of Denver, Chapter 152, Sewers and Sewage Disposal, To Revise Maximum Allowable Concentration of Certain Pollutants. This ordinance will revise the limits for the industrial pre-treatment program which is required to be done periodically. The Borough Solicitor drafted a sample ordinance and will advertise the ordinance for Borough Council's April 28th meeting. Discussion followed.

Borough Council discussed the proposed Storm Water Management Ordinance Fees for the Borough's Fee Resolution. The proposed fee structure includes a fee of 50.00 for an Exemption Application when someone is adding impervious surface to their property and they will not be exceeding 999 square feet; a \$100.00 fee for a Small Project Plan which may be reviewed internally and by the engineer depending on the project; a fee of \$250.00 for a Minor Storm Water Management Plan; and, a fee of \$500.00 for a Major Storm Water Management Plan. Also discussed were the proposed Escrow Amounts to be included in the Fee Resolution for Small Project Plans, Minor Storm Water Management Plans, and Major Storm Water Management Plans. Discussion followed.

Borough Council discussed the 2014 Denver Community Pool Fees and Membership Rates. The Denver Recreation Board previously reviewed the rates and fees and recommended that Borough Council keep the rates the same as they were in 2013. Discussion followed concerning the 2013 Pool Season, the number of passes sold last year, and the cost to operate the Pool. Councilman Fink made a motion, seconded by Councilman Gensemer, to keep the 2014 Denver Community Pool Memberships Rates and Daily Fees the same as in 2013. Motion carried unanimously 7 to 0.

Borough Council discussed the request from West Cocalico Township for a letter of support from Denver Borough for their grant application to the Department of Conservation and Natural Resources (DCNR) for improvements to their Chapel Gate Park. Councilman Cohick made a motion, seconded by Councilman Flory, to approve the request from West Cocalico Township to submit a letter of support from Denver Borough for their park and recreation grant to the Department of Conservation and Natural Resources (DCNR) for improvements to their Chapel Gate Park. Motion carried unanimously 7 to 0.

Action Items

Councilman Fink made a motion, seconded by Councilman Stover, to approve the March, 2014 monthly invoices and bills report. Motion carried unanimously 7 to 0.

Councilman Fink made a motion, seconded by Councilman Cohick, to appoint Destiny Meyers to a five (5) year term on the Denver Borough Planning Commission, which term shall expire on December 31, 2018. Motion carried unanimously 7 to 0.

Councilman Fink made a motion, seconded by Councilman South, to authorize the President or Vice President of Borough Council to execute the 2014-2015 Memorandum of Understanding between

the Borough of Denver and the Lancaster County Conservation District. Motion carried unanimously 7 to 0.

Councilman Flory made a motion, seconded by Councilman Gensemer, to authorize the President or Vice President of Borough Council to execute the Agreement between the Borough of Denver and Reilly Sweeping, Inc. for street sweeping services in the Borough, including paved alleyways, at a total cost of \$4,235.00. Motion carried unanimously 7 to 0.

Unfinished Business

Councilman Gensemer reported that there is a pension meeting for the police pension on April 21st at East Cocalico Township Building and if anyone has any question regarding the police pension's unfunded liability this will be the meeting to go and ask questions. Discussion followed.

Councilman Cohick inquired if and when a regional police force is formed, will the officers' current pensions be frozen and a new ones started. Discussion followed.

Councilman Gensemer inquired if the property on North 6th Street has been cited for the Code Violations. Mr. Hession reported that a non-traffic citation was submitted to the District Justice on Friday, March 28, 2014.

Councilman Stover reported that there are potholes opening up right near the North 5th Street Bridge.

Executive Session

Councilman Fink made a motion, seconded by Councilman Stover, to recess into an Executive Session at 8:11 p.m. to discuss personnel issues. Motion carried unanimously 7 to 0.

Councilman Fink made a motion, seconded by Councilman Gensemer, to reconvene into Regular Session at 9:02 p.m. Motion carried unanimously 7 to 0.

Mr. Hession reported that there was an article in the newspaper today about Manheim Borough's pool pass rates for the new season. Borough Council discussed the projected rates for the 2014 Manheim Borough Pool in comparison with the projected rates for the 2014 Denver Community Pool.

Adjournment

Councilman Fink made a motion, seconded by Councilman Stover, to adjourn the meeting at 9:06 p.m. Motion carried unanimously 7 to 0.

Michael Hession
Borough Manager/Secretary

Action Items:

- Motion to notify East Cocalico Township, West Cocalico Township, and Adamstown Borough that Denver Borough Council desires that the property located at 1975 North Reading Road be sold by either sealed bid or public auction, at an appropriate price, in accordance with Section 1503 of the Second Class Township Code, within 180 days after not less than three (3) of the four (4) municipalities informing all other municipalities that a sale of the Real Property is desired. Motion carried unanimously 7 to 0.
- Motion to approve Resolution No. 785 - A Resolution of Denver Borough, Lancaster County, Pennsylvania, Determining That It Is Necessary To Insert An Escalator Clause In Its Bidding Documents and Contracts For Road Materials. Motion carried unanimously 7 to 0.

- Motion to keep the 2014 Denver Community Pool Memberships Rates and Daily Fees the same as in 2013. Motion carried unanimously 7 to 0.
- Motion to approve the request from West Cocalico Township to submit a letter of support from Denver Borough for their park and recreation grant to the Department of Conservation and Natural Resources (DCNR) for improvements to their Chapel Gate Park. Motion carried unanimously 7 to 0.
- Motion to approve the March, 2014 monthly invoices and bills report. Motion carried unanimously 7 to 0.
- Motion to appoint Destiny Meyers to a five (5) year term on the Denver Borough Planning Commission, which term shall expire on December 31, 2018. Motion carried unanimously 7 to 0.
- Motion to authorize the President or Vice President of Borough Council to execute the 2014-2015 Memorandum of Understanding between the Borough of Denver and the Lancaster County Conservation District. Motion carried unanimously 7 to 0.
- Motion to authorize the President or Vice President of Borough Council to execute the Agreement between the Borough of Denver and Reilly Sweeping, Inc. for street sweeping services in the Borough, including paved alleyways, at a total cost of \$4,235.00. Motion carried unanimously 7 to 0.
- Motion to recess into an Executive Session at 8:11 p.m. to discuss personnel issues. Motion carried unanimously 7 to 0.
- Motion to reconvene into Regular Session at 9:02 p.m. Motion carried unanimously 7 to 0.
- Motion to adjourn the meeting at 9:06 p.m. Motion carried unanimously 7 to 0.