

September 29, 2014

The September 29th meeting of Denver Borough Council was called to order at 7:00 p.m. at the Denver Fire Company, 425 Locust Street, Denver, PA, with the following Councilmembers present: Cohick, Gensemer, Flory, South, Stover, and Mayor Redcay. The invocation was given by Mayor Redcay, which was followed by the Pledge of Allegiance to the Flag.

In the absence of Borough Council President Daub, Vice President Gensemer chaired the meeting.

Citizen's Concerns

Joanne Holloway, 5 Main Street, inquired about the bridge project on Main Street by Kalas Manufacturing. Borough Manager Michael Hession reported that this PennDOT bridge deck replacement project is scheduled to start in March 2015 and to be completed by September 2015. The road will be open during the project, but will be limited to one (1) lane of traffic. The contractor will start one-half (1/2) of the bridge and when that is complete, they will do the other half. Mr. and Ms. Holloway expressed concerns about the upcoming bridge project and the installation of a guiderail across the front of their property. They indicated that they have concerns about the guiderail and said that they have called people at PennDOT to discuss the issue, however, their calls have not been answered/returned. Borough Council asked that a meeting be convened with representatives from PennDOT, the Borough, and Mr. and Ms. Holloway to discuss these concerns. Discussion followed.

Presentation

Kathy Thren, Executive Director of the Adamstown Area Library, along with Kyle Sellers, Public Relations Director, presented the Adamstown Area Library's Annual Report and 2015 budget request. They also informed the audience of the different services and classes the Library offers.

Brian Shober provided Borough Council with an update concerning the Shober Family Scout Cabin Project at the Denver Memorial Park and Playground. Mr. Shober reported that approximately \$93,000.00 has been raised so far and about \$120,000.00 is the total that is needed for the project. Mr. Shober stated that since the FEMA money that was originally given to the Borough for the Scout Cabin that was damaged in the Park was spent in the Park for a storage shed and some playground equipment, he requested that the Borough consider making a donation of \$10,000.00 towards the new cabin. Mr. Shober stated that the Borough could donate \$5,000.00 in 2014 and then a second \$5,000.00 in 2015. Discussion followed regarding the project, the Borough's current in-kind contributions including the proposed installation of water and sanitary sewer laterals, and whether the Borough can make a cash contribution for this project or whether the Borough would have to contribute via an improvement to the facility. Borough Council indicated that they will take this request under advisement as they review the 2015 Municipal Budget.

Borough Council Comments

Councilman South inquired if there are any updates on the grants that the Borough applied for funding. Mr. Hession reported that the Borough did not receive the Multimodal Transportation Grant for streetlights and the Washington Street/Alley A Water Main Extension grant applied for through the Commonwealth Financing Authority. The Borough is waiting for

confirmation concerning the grant application submitted through PennDOT for the LED streetlight project.

Borough Council discussed the current delay by PP&L to contract with the Borough for the sale of the streetlight system in Denver. Mr. Hession reported that he approached a representative from the Pennsylvania State Association of Boroughs (PSAB) for their help in getting PP&L to work with the Borough. The next step is for the Borough's Finance Committee to meet with the consultant, a representative from PSAB, and an attorney that PSAB works with who deals with these types of issues.

Emergency Management Coordinator Report

Emergency Management Coordinator Andy Boyer did not have a report.

Police Department Report

Police Chief George Beever reported on the followings incidents and calls for service during the past month: on August 27th there was a disturbance in the 800 block of South 4th Street where a 16 year old juvenile was charged with simple assault; on September 1st, two (2) bicycles valued at \$1,300.00 were stolen from the Denver Memorial Park; on September 4th, a 37 year old resident on Main Street was taken into custody on a Lebanon County bench warrant; on September 10th, four (4) individuals including two (2) juveniles were cited for disorderly conduct after a disturbance at the Denver Fair, and, a 12 year old and a 16 year from Stevens were cited for harassment at the Denver Fair; on September 13th, before 11:00 p.m., a resident in the 100 block of Hawthorne Drive was cited for disorderly conduct after a noise disturbance; on September 17th, \$500.00 worth of jewelry was stolen from a room at the Denver House; on September 19th, there was a disturbance at the Denver House at 11:15 p.m. and one (1) resident who was using an Ocean City Maryland address was found to have an active Lancaster County Bench Warrant and was taken into custody; on the night of the September 20th, numerous unlocked vehicles were entered and cash and property valued at approximately \$1,000.00 was stolen; on September 22nd at 1:00 p.m., a Denver resident was cited for public drunkenness in the parking lot at Turkey Hill; and on September 24th, there was a two (2) car crash at the intersection of South 4th Street and Madison Street. Discussion followed.

Denver Fire Company Report

Denver Fire Chief Shannon Hilton reported that the Fire Company's total calls for service year to date are 172. Of these calls, 13 were vehicle extractions and 19 were working fires. The Department has totaled 1,934 man hours of service and their average response time is 3.2 minutes. Discussion followed.

Police Advisory Board Update

Councilman Mike Gensemer reported that the Police Advisory Board did not meet in September. Instead, it was decided that the municipalities should compile questions and comments regarding the draft Articles of Agreement and submit those questions and comments to the Police Advisory Board by mid-October for their October meeting. The Borough has compiled a list of questions and comments and these will be shared with the Borough Solicitor and John Weaver, Denver's citizen representative to the Police Advisory Board before they are submitted to the Police Advisory Board in October. Discussion followed.

Director of Public Work's Report

George Whetsel, Director of Public Works reported that the Public Works Department completed the line and curb painting throughout the Borough; completed shutting down the Denver Community Pool; prepared the area at the Denver Memorial Park for the new storage shed; provided their annual assistance for the set-up of the Denver Fair; completed the end of the month reports for DEP and the Susquehanna River Basin Commission; reinstalled the window that was broken at the Denver Community Pool; power-washed and started painting the outside trim at the Municipal Building; completed measurements for the Street Committee to assist with developing a budget for the 2015 Street Improvement Projects; installed safety tubing on top of the chain link fence at the roller skating/ice skating rink at the Denver Memorial Park; continued to work on the fire hydrant maintenance program; and coordinated the work by a subcontractor to cut the curb at the North 4th Street Playground. Mr. Whetsel also reported that leaf collection will begin on Monday, October 6th, and will continue through December 11th. Discussion followed regarding the status of the camera system at the Denver Memorial Park and the status of the bikes that were reported stolen at the Park in the beginning of September.

Discussion Items

Borough Council discussed the future of the Borough Lot facility including the Borough Lot Access Card Fee structure and the types of materials that will be permitted to be deposited at the site in the future. The discussion started with an overview of the facility including the Access Card system, the types of materials that have been accepted at the Borough Lot, and the continuing costs associated with operating the Borough Lot including the increasing costs associated with the removal and proper disposal of the grass clippings, dirt, and stones dumped at the site. To date, the Borough has invested over \$34,000.00 in the Borough Lot including the implementation of a gate system, signs, security cameras, and fees to recycle and dispose of the woody yard waste materials. The revenues realized by the Borough for the one (1) time \$10.00 fee for an Access Card is approximately \$8,500.00.

Mr. Hession reported that currently residents with a valid Access Card can dump woody yard waste, brush, and branches at the Lot as well as grass clippings, flowers, and dirt. The Borough contracts with Zeager Brothers to chip and recycle the woody yard waste material into mulch. The cost to the Borough for each chipping procedure is \$1,000.00 and the Borough generally has this material chipped at least two (2) times per year. In regard to grass clippings and dirt, the Borough has been taking those materials to the pieces of land the Borough owns in the surrounding area that are adjacent to the Borough's municipal wells. Last year the Borough finished a Source Water Protection Plan and one (1) of the components to the plan was to delineate and implement a well head protection area for the Borough's four (4) wells including the one (1) well in Denver and the three (3) wells in East Cocalico Township. The Public Works Department has taken some of the materials to the well site property and has deposited those materials in areas that are outside of the wellhead protection zone. If the Borough continues to permit these materials to be deposited at the Borough Lot, the Borough will need to dispose of the materials at another facility such as the land fill. Based on past amounts of materials received at the Borough Lot, the annual cost to take these materials to a land fill will cost approximately \$45,000.00. Mr. Hession reported the Borough Council decided to investigate other alternatives for the Borough which will keep the wellhead areas protected, will continue to provide a woody yard waste site for the residents, and will be cost effective while also encouraging property owners to recycle grass clippings on their own property. Borough Council is considering the future of the Borough Lot including the Access Card fee structure and the

types of materials that will be accepted at the facility. Borough Council included on tonight's Meeting Agenda an opportunity to discuss this issue with the residents from the Borough.

Derrick Chadburn of 410 North 6th Street stated that he uses the Borough Lot often and he would be willing to pay \$10.00 a year for a Borough Lot Access Card since he sees the facility as a good thing for the community.

Wayne Kepley of 145 Monroe Street stated that he uses the Borough Lot almost monthly and finds it very convenient and worthwhile to have.

Councilman South reported that he contacted Goods Disposal and was told that a homeowner who has trash service through Good Disposal could purchase lawn bag tags at a cost of \$2.00 per bag. Councilman South also discussed the advantages of composting grass clippings on your own property. Discussion followed about the Borough investigating purchasing yard bag tags from the contracted haulers in the Borough at a reduced rate and then selling these tags to property owners for use with their hauler.

Mr. Strohl stated that he would be willing to pay more for a monthly pass at the Lot. Based on the cost for the disposal of the yard waste and on an average number of cards purchased annually of 500, the annual Access Card cost could be between \$15.00 and \$20.00. Clifford Behrandt, Bruce Eshelman, Nedra Bearinger, and Nevin McQuate also added comments. John Weaver recommended contacting local farmers to see if they would be willing to take the clippings and dirt dumped at the site. Mindi Stoner encouraged the Borough to keep the dump since this is a lovely service for the community. Ms. Stoner indicated that the Denver Women's Club uses the facility when they are changing the plants in the planters on Main Street during the different seasons. Beth Zimmerman also recommended keeping the grass and dirt option at the site for the community.

Ms. Bearinger also asked whether the Borough would consider adding a recycling container for magazines next to the card board recycling container located behind the Municipal Building. Borough Council indicated that the Borough will look into this option. Discussion followed regarding the Borough Lot, the various options such as determining whether any local farmers would accept the grass clippings and dirt currently dumped at the site, and the timetable for any decisions to be made by Borough Council. Borough Council will discuss this further during an upcoming Borough Council meeting and any changes to the policy will be communicated with the residents prior to becoming effective. Councilman Gensemer thanked the residents for their comments.

Borough Council discussed the outstanding loan for the property at 1975 North Reading Road. Mr. Hession reported that the balance of the loan remains outstanding and each day that it is not paid in full interest accrues and is charged back to the municipalities. To date, the Borough has not been successful in getting all the municipal partners together to come up with a plan to pay off the loan balance. Currently, each day that the loan remains unpaid costs the Borough approximately \$20.34. Tonight's Borough Council Meeting Agenda includes a motion to authorize the Borough to pay off Denver's portion of the outstanding loan. The goal would be for the Borough to be able to move quickly to pay this balance without having to wait for another Borough Council meeting. Discussion followed and Councilman Cohick made a motion, seconded by Councilman South, to authorize the Borough to pay the balance owed by Denver Borough on the 1975 North Reading Road Property Loan by using \$100,000.00 from General Fund Reserves and the balance due from the Downtown Revitalization Fund, and, to authorize the Borough to reimburse the Downtown Revitalization Fund in full the amount used to finalize the 1975 North Reading Road loan plus interest based on the Federal Applicable Rate (APR), by December 31, 2016. Motion carried unanimously 5 to 0.

Borough Council discussed the draft Articles of Agreement for the Cocalico Regional Police. The comments included in Borough Council's meeting packet includes a combination of the comments identified by the Borough and the Borough Solicitor. Borough Council will be able to complete a final review of these comments during the October 13th Borough Council meeting prior to submitting the comments to the Police Advisory Board.

Borough Council discussed the Weaver Road Bridge Long-Term Plan Roundtable Discussion held at the Denver Borough Municipal Building on Thursday, September 18, 2014. Councilman Cohick reported on the individuals who attended the meeting and stated that the representative from PennDOT was very enthusiastic to build a bridge and the Borough would be on board with everything except that the new bridge would be on land that is included on the National Historic Registry. Mr. Hession reported that a meeting will be scheduled with the federal officials in Harrisburg and PennDOT to discuss the process and how difficult it may be to build this bridge since it is in a historical area. The Borough's Weaver Road Bridge Citizen's Advisory Committee will meet again to discuss possible alternative locations for the bridge. Discussion followed.

Borough Council discussed the disposition of the "Welcome to Denver Sign" located on Main Street by Kalas Manufacturing prior to the start of PennDOT's S.R. 1051 Bridge Deck Replacement Project in 2015. Mr. Hession reported that PennDOT informed the Borough that the wooden sign will need to be removed prior to the start of the bridge project. The Public Works Department already has removed the smaller, metal signs from the wooden sign frame. PennDOT has given the Borough the following options: Penn DOT will pay the Borough \$225.00 if the Borough removes the sign, or, PennDOT will pay the Borough \$300.00 and PennDOT will have the right to remove and dispose of the sign. The Borough can use the money it receives from PennDOT to assist with a new sign which will be constructed in partnership with Kerry Kegersie from Country Lane Flowers following the bridge project. Discussion followed and Councilman Stover made a motion, seconded by Councilman Flory, to accept the payment of \$300.00 from PennDOT and to permit PennDOT to remove and dispose of the existing wood sign frame for the "Welcome to Denver Sign" located on Main Street by Kalas Manufacturing. Motion carried unanimously 5 to 0.

Action Items

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

Councilman Cohick made a motion, seconded by Councilman South, to authorize the President of Borough Council to execute the Collective Bargaining Agreement between the Borough of Denver and the Teamsters Local Union No. 771 for the period of January 1, 2014 through December 31, 2016. Motion carried unanimously 5 to 0.

Councilman Flory made a motion, seconded by Councilman Stover, to authorize students from Penn State University to conduct a "canning" fundraiser in the Borough on Saturday, October 18, 2014, and on Sunday, October 19, 2014, at the Main Street and North/South 4th Street intersection, contingent upon the participants adhering to the safety regulations of the THON Program and the PA Vehicle Code regulations. Motion carried unanimously 5 to 0.

Executive Session

Councilman South made a motion, seconded by Councilman Stover, to recess into an Executive Session at 8:50 p.m. to discuss personnel issues. Motion carried unanimously 5 to 0.

Councilman Stover made a motion, seconded by Councilman Flory, to reconvene into Regular Session at 9:08 p.m. Motion carried unanimously 5 to 0.

Unfinished Business

There was no unfinished business to discuss.

Adjournment

Councilman Stover made a motion, seconded by Councilman South, to adjourn the meeting at 9:08 p.m. Motion carried unanimously 5 to 0.

Michael Hession
Borough Manager/Secretary

Action Items:

- Motion to authorize the Borough to pay the balance owed by Denver Borough on the 1975 North Reading Road Property Loan by using \$100,000.00 from General Fund Reserves and the balance due from the Downtown Revitalization Fund, and, to authorize the Borough to reimburse the Downtown Revitalization Fund in full the amount used to finalize the 1975 North Reading Road loan plus interest based on the Federal Applicable Rate (APR), by December 31, 2016. Motion carried unanimously 5 to 0.
- Motion to accept the payment of \$300.00 from PennDOT and to permit PennDOT to remove and dispose of the existing wood sign frame for the “Welcome to Denver Sign” located on Main Street by Kalas Manufacturing. Motion carried unanimously 5 to 0.
- Motion to approve the September, 2014 monthly invoices and bills report. Motion carried unanimously 5 to 0.
- Motion to authorize the President of Borough Council to execute the Collective Bargaining Agreement between the Borough of Denver and the Teamsters Local Union No. 771 for the period of January 1, 2014 through December 31, 2016. Motion carried unanimously 5 to 0.
- Motion to authorize students from Penn State University to conduct a “canning” fundraiser in the Borough on Saturday, October 18, 2014, and on Sunday, October 19, 2014, at the Main Street and North/South 4th Street intersection, contingent upon the participants adhering to the safety regulations of the THON Program and the PA Vehicle Code regulations. Motion carried unanimously 5 to 0.
- Motion to recess into an Executive Session at 8:50 p.m. to discuss personnel issues. Motion carried unanimously 5 to 0.
- Motion to reconvene into Regular Session at 9:08 p.m. Motion carried unanimously 5 to 0.
- Motion to adjourn the meeting at 9:08 p.m. Motion carried unanimously 5 to 0.