

**DALLASTOWN BOROUGH
175 E. BROAD STREET
DALLASTOWN, PA 17313
BOROUGH COUNCIL MINUTES
JULY 10, 2017 – 7:00 PM**

CALL TO ORDER

The July 10th meeting of the Dallastown Borough Council was called to order by Council President, Ronald Smith, followed by prayer, pledge of allegiance and roll call.

MEMBERS PRESENT

Ronald Smith – President
Tomas Metz – Vice President
Gina Smith – President Pro Tem
Kim Sterner
David Simpson
Brad Capatch

ALSO PRESENT

Terry Meyers - Mayor
Connie Stokes – Borough Manager
Peter Ruth – Stock & Leader – Solicitor
Steve Malesker – C.S. Davidson – Engineer
David Garabedian – Borough Zoning/Codes Officer

ABSENT

Paul Liesman

VISITORS

Chief Tim Damon – York Area Regional Police Department
Chief Patrick Noll – Dallastown Rescue Fire Co. #1
Rebecca & Richard Rakestraw & Family – 417 E. Maple Street, Dallastown
Kimberly Billet – 221 Kirsta Lane, Dallastown

ANNOUNCEMENTS

- August 1st – National Night Out – 5:30-8:30 pm
- August 15th-19th – Carnival

APPROVAL OF 6/12/17 MEETING MINUTES

Motion: Mr. Metz moved and was seconded by Mr. Capatch to approve the 6/12/17 meeting minutes as presented.

Motion carried 6-0.

APPROVAL FOR PAYMENT OF BILLS

Motion: Mr. Simpson moved and was seconded by Mr. Sterner to approve the payment of bills as presented.

Motion carried 6-0.

APPROVAL OF FINANCIAL STATEMENTS

Motion: Mr. Simpson moved and was seconded by Ms. Smith to approve the financial statements as presented.

Motion carried 6-0.

POLICE REPORT

Chief Damon was present to give the monthly police report.

- He had a mid-year call report for the Borough thru June 30th. There were 617 calls for service not including traffic stops. There were 127 traffic citations issued plus 49 traffic warnings. Out of the 617 calls for service, 3 were heroin overdoses, 39 traffic accidents and 2 robberies which were cleared by arrest.
- After the May meeting which he attended concerning the park closure, he set up a Facebook group. There has been foot patrol at the park also, which has seemed to have curbed the behavior.

FIRE COMPANY REPORT

Chief Patrick Noll was present to give the monthly fire company report from June.

- June was a busy month. There were a total of 76 calls with 14 being in the Borough.
- For the monthly Fire Calls & Accidents, 65 Fire Police responded for a total of 50.10 man hours. They also attended 3 non-emergency events for a total of 32 man hours.
- Engine 2 was sold, so they are now down the tanker and an engine. Their new piece of equipment, which is a tanker/pumper combination, is due to arrive the end of August or beginning of September.
- The old Mack that was restored won 1st prize in Harrisburg at the Pump Primers over the weekend.
- Mr. Smith questioned Chief Noll about a letter the Borough received from Ron Miller concerning the merging of several local fire companies. Chief Noll stated that the discussion started approximately 3 years ago. An actual board was just formed that plans to present a PowerPoint to each municipality explaining the proposed merger.

MAYOR'S REPORTS – He had no report for the month of June.

VISITORS

- Tom Sherman – 498 N. Pleasant Avenue – He had spoken with Mr. Garabedian, Zoning/Codes Officer, concerning the fire arms ordinance. He was inquiring about the use of an air gun in the Borough. Mr. Garabedian had told him that his interpretation of the Borough ordinance did not allow the use of an air gun in the Borough. Mayor Meyers stated that, per state law, the use of an air gun cannot go past the confines of the resident's property. He was told he is free to appeal the interpretation before the zoning committee.
- Rebecca Rakestraw – 417 E. Maple Street – She homeschools her children and thought the meeting would be a good civics lesson for her daughter. She also brought to Council's attention the fact that her neighbor has some chickens and roosters on her property which roam from the street to the alley. Also the roosters start to crow at 3:00 am and continue all day. Mr. Garabedian stated that it could be considered a nuisance. Fowl are included in the ordinance as "pets", but only 4 are allowed. Mr. Smith said it could fall under the new "Quality of Life Ordinance". Mr. Metz said that chickens in urban areas are considered trendy and some municipalities are looking into having lot size requirements. Mr. Garabedian will look into.

SOLICITOR'S REPORT

- Attorney Ruth is still working on the proposed updates to the ordinances.

- The new Quality of Life Ordinance, which allows violation enforcement by ticketing, has been drafted for Council's review. The ticket would be posted on the door of the property allowing 10 days to pay the fine and bring the violation into compliance. If the fine is not paid and violation brought into compliance, then Mr. Garabedian (Zoning/Codes Officer) would go through the regular citation process. Attorney Ruth suggested that the 30 day citation actually be started at the same time as the Quality of Life ticket is given. If the fine is paid and violation is brought into compliance, then the 30 day citation will be cancelled with the District Justice. An appeal process was not included in the ordinance draft. Attorney Ruth feels it is not advisable. Each violation would be a separate fine. Mr. Garabedian suggested that the fines start at \$50, then \$100, then \$300, then \$600. Council agreed with the fine amounts. If fines are continually not paid, then a judgement will be filed.
Motion: Mr. Sterner moved and was seconded by Mr. Capatch to authorize Attorney Ruth to make the changes to the Quality of Life Ordinance as discussed and advertise for the next Council meeting on July 24th.
Motion carried 6-0.
- Ordinance #587-2017, amending the rules of the Dallastown Community Park, was ready for approval.
Motion: Mr. Simpson moved and was seconded by Mr. Sterner to approve Ordinance #587-2017.
Motion carried 6-0.
- Attorney Ruth researched the use of speed humps/bumps. It is possible to install them, but there is certain criteria that must be followed, such as the grade of the street cannot be more than 8%, the hump should be within 150 feet of an intersection without a signal and must be 200 to 600 feet apart. He will research the use of divots.

ENGINEER'S REPORT

- Kinsley has finished the paving on S. Charles Street. Now they will be doing Wyandotte, Willow & East Park Lane before October. Dates have not been set at this time.
- Mr. Rehab is currently doing the sewer maintenance program. Mr. Malesker received the Application for payment #1 from Mr. Rehab today for \$28,071.25. He didn't have a chance to review it prior to the meeting tonight.
Motion: Mr. Metz moved and was seconded by Ms. Smith to approve Application for Payment #1 to Mr. Rehab in the amount of \$28,071.25 subject to Mr. Malesker's review.
Motion carried 6-0.
- Mr. Rehab's contract for the sewer maintenance expires on July 18th, so they sent a no cost change order (#1) to extend the contract time to August 18th.
Motion: Mr. Simpson moved and was seconded by Mr. Capatch to approve No Cost Change Order #1 with Mr. Rehab, extending the contract expiration date to August 18th.
Motion carried 6-0.
- Bids were opened for the sewer interceptor. There were only 2 bidders, Barrasso Excavation, Inc. & Doli Construction Corp., with Barrasso being the low bidder at \$341,799.50. This figure was actually \$80,000.00 lower than the engineer's estimate. Mr. Malesker recommended that the project be awarded to Barrasso Excavation.
Motion: Mr. Metz moved and was seconded by Mr. Simpson to award the sewer interceptor project to Barrasso Excavating in the amount of \$341,799.50.
Motion carried 6-0.
Richard Resh from C.S. Davidson's will bring the contracts to the August meeting for execution.

- The MS4 Report is done and was given to Mr. Garabedian.

BUSINESS FOR ACTION – There was no business for action.

BUSINESS FOR DISCUSSION/INFORMATION

- **ZONING**
 - 1) Bethlehem United Methodist Church will be appealing the zoning ordinance at the next zoning meeting on July 24th at 7:00 PM.
 - 2) 202 W. Broad Street was granted a special exception for a daycare in her home. She is only allowed 3 children without a state license and is mandated to install a fence. The Landlord is not allowing her to install a permanent fence, so it will only be a temporary fence.
 - 3) 509 E. Main Street – Mr. Garabedian received a new application for a beauty salon. The Planning Commission hearing will be tomorrow evening at 7:00 PM.
 - 4) 61 E. Maple Street – Still dealing with the overgrown vegetation. The owners have done some work but there is still much to be done. An additional citation is to be filed tomorrow.
 - 5) There has been nothing heard on the tobacco shop which is to be opening at 18 W. Main Street.
- Thank you letters were received from Kaltreider Benfer Library and Golden Connections for the Borough contributions.

*******EXECUTIVE SESSION*******

8:11 PM – 8:27 PM

Motion: Mr. Metz moved and was seconded by Mr. Simpson to approve Peter to draft a letter to York Township requesting sewer extension.

Motion carried 6-0.

REPORTS

- Police Reports
- Klugh Animal Care Report

ADJOURNMENT

Motion: Mr. Simpson moved and was seconded by Mr. Metz to adjourn the meeting.

Motion carried 6-0.

Respectfully Submitted,

Susan Wertz