

**DALLASTOWN BOROUGH
175 E. BROAD STREET
DALLASTOWN, PA 17313
MARCH 10, 2014 – 7:00 PM
COUNCIL MEETING MINUTES**

CALL TO ORDER

The March 10, 2014 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
Quay Markel
Bernell Kohler
Karen Hoyt-Stewart
Paul Liesman

ALSO PRESENT

Terry Meyers, Sr. - Mayor
Connie Stokes – Borough Manager
David Jones – Stock & Leader - Solicitor
Steve Malesker – C.S. Davidson - Engineer

VISITORS

Kim Pavlick – 69 W. Maple Street, Dallastown
Lawrence Hare – 2005 Snyder Road, Red Lion
Kim & Sandra Sterner – 211 KIRSTA Lane, Dallastown
Paul Grove – 220 KIRSTA Lane, Dallastown
Elaine Fass – 633 Colonial Drive, Dallastown
Joe Szmajda – 18 S. Park Street, Dallastown
Lorin Deller – 131 Maylyn Avenue, Dallastown
Bill Davis – 127 W. Market Street, York
Mark Zigler – 3498 Industrial Drive, York
Mike Moritz – 155 April Lane, Dallastown
Richard Bogart – 17 W. Maple Street, Dallastown
Rick Robinson – 625 Dolonial Drive, Dallastown

ANNOUNCEMENTS

- March 27th – The York County Boroughs Association meeting is being held at the Dallastown Rescue Fire Company at 6:30 pm. There will be two speakers: Heather Bitner from York Area Metropolitan Planning and Dave Lipinski from Holley Engineering on stormwater.
- April 6th – 9th – PSAB Conference at Penn State

APPROVAL OF 2/10/2014 MEETING MINUTES

Motion: Mr. Markel moved and was seconded by Mr. Kohler to approve the February 10, 2014 meeting minutes as presented.

Motion carried 7-0.

APPROVAL FOR PAYMENT OF BILLS

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

Motion carried 7-0.

APPROVAL OF FINANCIAL STATEMENTS

Motion: Mr. Markel moved and was seconded by Mr. Liesman to approve the financial statements as presented.

Motion carried 7-0.

MAYOR’S REPORT

- A written report was distributed to all Council members.
- Mayor Meyers received a letter concerning Building Code Effectiveness Rating Schedule. She complimented our Codes Officer for being very cooperative. The Borough received an upper rating which should in turn decrease homeowner’s insurance rates.

VISITORS/PUBLIC COMMENT

- Lawrence Hare of 2005 Snyder Road in Red Lion asked Council whether or not there was a code concerning signs. Council told him there was. He proceeded to say that there are signs on both sides of the intersection at S. Duke Street and Route 74 which limit sight in larger vehicles. The Borough Zoning Officer will check on it and report back.
- Kim Pavlick of 69 W. Maple Street, Dallastown approached Council concerning a better system for clearing snow from the Borough alleys. She stated that she and quite a few other residents must park in the rear of their homes off the alley and when the alleys are not plowed it is hard to get out. She also stated that with the melting and re-freezing, the alleys were dangerous. She posed three suggestions to Council: 1) Use cinders; 2) Get per diem people when the employees work long hours; 3) make an agreement with Yoe for plowing. Council will take under advisement.
- Joe Szmajda of 18 S. Park Street, Dallastown had several items to bring to Council. The first was concerning bids for snow removal. Council told him that every year snow removal is put out for bid and no one has bid on it for quite a few years.

Mr. Szmajda then asked why the removal of snow on S. Park Street between Cherry Lane & Main Street had to be done at 4:30 am on February 21st. He was told that it took that long for the pickup truck that was parked there to be towed by the Police. Council explained that the snow removal was done during the night on Main Street due to the lack of traffic at that time and being able to get larger equipment in to actually remove the snow.

His third item was questioning a comment that was made at the January 1st meeting about the Trash Contract and having only one pickup per week to keep costs down. Council explained that the contract is coming up for renewal this year and they will look at many different options. Mr. Szmajda also stated that there is a problem with collection in his neighborhood. He had some photos which he shared with Council. He was told to contact the Borough Office if trash is not collected and Penn Waste will be called.

He then asked if Dallastown Borough is safe from what is currently happening in North York Borough concerning severance and he was told yes.

- Mike Moritz of 155 April Lane, Dallastown inquired about a no parking sign on S. Park between Cherry & Main. Council explained that it was unenforceable due to the lack of an ordinance. The subject is scheduled to be address during this Council meeting.

SOLICITORS REPORT

- Attorney Jones explained that money is budgeted each year for snow removal, but this was a very unique year. The salt has been a huge issue all over the state. He also stated that the Transportation Bill is increasing the amount of liquid fuels funds received from the state. This will increase steadily over the next couple of years.
- There was a discussion concerning the parking situation in the first block of S. Park Street. Attorney Jones stated that a traffic study has already been done which supports no parking on both sides of the street in that block.

Kim Sterner of 211 KIRSTA Lane stated that he witnessed a school bus having a difficult time negotiating thru that block, especially when the pickup truck was parked there and traffic was waiting at the light. He suggested that only one side of the street be no parking.

Included in the discussion was the fact that there is not a lot of off street parking for the apartment buildings on the south side corners.

Mr. Liesman suggested that Council limit the no parking to only one side. Then, if needed, it could always be changed at a later date.

The signage will need to be changed (Main to Cherry).

Motion: Mr. Markel moved and was seconded by Mr. Liesman to authorize Attorney Jones to draft and advertise an ordinance prohibiting parking on the east side of S. Park Street from Main Street to Cherry Lane.

Motion carried 6-1. (Ms. Hoyt-Stewart voted against)

Loren Deller, of 131 Maylyn Avenue, suggested that Shorty Deller (30 S. Park Street) could possibly offer parking for tenants.

- A Notice for a Class Action Suit was forwarded to Attorney Jones from the Borough Office. It was concerning fixing of pricing and municipal derivatives. The options are to opt out or participate in the suit. Attorney Jones recommended that Council does nothing, thus participating in the existing suit. The deadline is May 6, 2014 to make a decision. In the meantime, the Borough Manager will talk to the pension people.

ENGINEER'S REPORT

- There was a public meeting with DEP on March 7th at the Borough Office. There was a new group from DEP in attendance plus Mr. Malesker & Mr. Resh from C.S. Davidson, Mr. Smith, Mr. Metz & Mr. Markel from Council, Ms. Stokes & Mr. Garabedian from the Borough Office, Attorney Jones and 3 representatives from Colonial Park. DEP is allowing the Borough to slow down the process and will be approaching York Township concerning doing a group project. DEP will be in touch.
- Mr. Sterner, of 211 KIRSTA Lane, inquired about a discussion from a previous council meeting where Council agreed to a fly over of Colonial Park and a history site review. He asked whether it was possible to have these items postponed or if it was an expense factor. Mr. Malesker responded that the fly over is just to check the terrain (topography & property lines) and that is something that won't change and needs to be done anyway. He said he would check on the progress of the history site review and whether it is monetarily beneficial to postpone the review or not.

- The White Rose Credit Union Land Development is underway at the corner of E. Main Street and South Pleasant Avenue, at the former Tom's Exxon location. Representatives Mark Ziglar of White Rose CU and Bill Davis of Site Design Concepts presented Council with revised plans showing lighting and requests for waivers.

The waivers that were being requested were:

1. A Preliminary Plan - Since the project is small and they are not proposing any public improvements, they would like the requirement for a preliminary plan waived.
2. Scale of Drawing – The drawing scale was done at 1"=10' to show more clarity instead of the 1"=50'-100'.
3. Showing lot lines within 200' of the site due to the scale of the drawing.
4. Vertical concrete curb and sidewalks along Pleasant Avenue & Main Street.

Mr. Metz asked for clarification of waiver #4, stating that residents are required to have curb & sidewalk and this should not be any different. Mr. Davis clarified that they are only asking for the waiver on the replacement of the existing curb and sidewalk. They are putting new curb and sidewalks in on Main Street where none currently exist. Mr. Malesker stated that at the last meeting, Council said that they would like new curb and sidewalk everywhere in order to meet Borough standards. There is also a concern because PennDOT owns the corner of the property, fee simple. The handicap ramp will also need to meet standards.

Motion: Mr. Metz moved and was seconded by Mr. Markel to approve waivers 1, 2 & 3.

Motion carried 7-0.

Motion: Ms. Smith moved and was seconded by Mr. Kohler to deny the request for waivers concerning the replacement of the curb and sidewalks that already exist.

Motion carried 7-0.

Motion: Mr. Kohler moved and was seconded by Ms. Smith to install or replace curb and sidewalk to meet Borough standards.

Motion carried 5-2 (Ms. Hoyt-Stewart and Mr. Markel voted against.)

Council is requiring verification that the existing system for stormwater is functioning properly and signage is added prohibiting left turns onto Main Street.

Shiple is to give them a clean site by April 1st, so they would like to start construction in April.

Site Design Concepts will resubmit revised plans and Mr. Malesker will issue another comment letter and make recommendations. Council will review at the next meeting for approval.

- York County Planning is accepting applications until June for CDBG projects. Mr. Malesker recommended that Council consider applying for the continuation of curb & sidewalk and water on W. Maple Street from School to Union. Joint and continuing projects increase the chances of receiving funding. Council will revisit in April.
- The existing Equipment & Materials bid that is joint with Yoe Borough will be expiring in June. Mr. Malesker asked for a motion from Council to authorize him to put together the bids and advertise.

Motion: Mr. Metz moved and was seconded by Mr. Markel to authorize the engineer to get the bids ready and advertise.

Motion carried 7-0.

FIRE COMPANY REPORT

Chief Ehrhart was present to give the Fire Company report.

- Chief Ehrhart submitted a finalized plan for York County 911. The Borough originally had 7 box areas and they have been reduced to 3. All the surrounding municipalities and boroughs instituted a plan and are trying to work in a unified manner. Documentation on this plan was submitted to Council for their review. The Fire Company had their ISO review last year and received good rating, but since then they increased their equipment. This should up the rating for the Borough which also will in turn help with residents’ homeowners insurance rates.

Motion: Mr. Metz moved and was seconded by Mr. Kohler to approve the finalized plan submitted to York County 911 by Chief Ehrhart for Dallastown Borough.

Motion carried 7-0

- The Chief also made a statement concerning the snow this year. He wanted to make known to all in attendance that citizens do help in emergency situations, such as when one of the Borough trucks was stuck in the snow and another had hydraulic problems, the fire company came to their assistance. He said he also appreciated that fire hydrants were cleared.

BUSINESS FOR ACTION

- The Borough Office will be taking credit cards for payment of water and sewer/trash bills starting tomorrow. Convenience fees will be charged for each transaction as follows:

Under \$99.99 -----	\$3.00
\$100.00-\$499.99 -----	\$5.00
\$500.00 & Over -----	3% of total bill

Motion: Mr. Metz moved and was seconded by Mr. Liesman to accept the Credit Card Convenience Fee rates.

Motion carried 7-0.

- Resolution 2014-1 was ready for approval. This resolution is to reappoint the Borough Manager as the MRT Chief Administrative Officer. Her duties are to handle the reports and information for the pension.

Motion: Mr. Kohler moved and was seconded by Mr. Liesman to approve Resolution #2014-1 reappointing Ms. Stokes as the MRT Chief Administrative Officer.

Motion carried 7-0.

- Resolution 2014-8 for the approval of the Promulgation for the EMA Plan was tabled until the April meeting when the Plan Book will be completed and Alan Reed, EMA Coordinator, is able to attend.
- The ice storm destroyed the spouting at the Borough Building and it needs to be replaced. Three estimates were received from Rick Jackson Siding (\$4,180.00), Robert L. Diehl Builder, Inc. (\$7,429.00) & Century Spouting (\$3,759.00).

Motion: Mr. Markel moved and was seconded by Mr. Liesman to authorize Century Spouting to repair the spouting at the Borough Building for \$3,759.00.

Motion carried 7-0.

BUSINESS FOR INFORMATION/DISCUSSION

- Zoning Officer’s Report - There were 10 violations during the month of February & 7 permits were issued or are currently under review.

A final decision on the half-way house on E. Maple Street will be rendered at the next zoning meeting. There are only 3 rental registrations remaining from 2013.

Mr. Garabedian has also been updating the new website and is still waiting to hear on the recycling grant for a single axel dump truck and leaf vac which he applied for last summer.

Ms. Smith inquired about the deteriorating trailer on Fern Avenue. Mr. Garabedian will look into it.

- William Henry is concerned about the trees hanging onto neighboring properties. This is a civil matter between property owners.

REPORTS

- York Regional Emergency Medical Service
- Police Reports
- York Adams Tax Bureau

Respectfully Submitted,

Susan Wertz