

**DALLASTOWN BOROUGH
175 E BROAD STREET
DALLASTOWN, PA 17313
BOROUGH COUNCIL MEETING MINUTES
SEPTEMBER 8, 2014**

CALL TO ORDER

The September 8th Borough Council meeting 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

Connie Stokes – Borough Manager
David Jones – Stock & Leader - Solicitor
Steve Malesker – C.S. Davidson - Engineer

ABSENT

Mayor Terry Meyers – Personal Commitment

VISITORS

Rick Carr – 460 N. Lombard Street, Dallastown
Jerry Barber – 653 S. Hampton @ Waterford, York
Kim Sterner – 211 Kirsta Lane, Dallastown
Keith Witmer, Sr. – 367 W. Maple Street, Dallastown
Kim Snyder – 367 W. Maple Street, Dallastown
Josh Ricci – 335 W. Maple Street, Dallastown
Danton Barnes – 333 W. Maple Street, Dallastown
Rick Ness – 341 W. Maple Street, Dallastown
Brenda Fondervest – 357 W. Maple Street, Dallastown
Chris Zarnowski – 2878 Honey Valley Road, York
Dawn Wilmot – 218 W. Maple Street, Dallastown
Shawn & Danielle Flickinger – 435 W. Maple Street, Dallastown
Lee M. Friedman – 23 W. Main Street, Dallastown
Steven Eberly – 437 W. Maple Street, Dallastown
Cheryl Stiles – 359 W. Maple Street, Dallastown
David Shilke – 432 W. Maple Street, Dallastown
Joe Szmajda – 18 S. Park Street, Dallastown
Richard Bogart – 17 W. Maple Street, Dallastown
Cheryl Moul – 457 W. Maple Street, Dallastown
David Seager/Keri Wilson – 436 W. Maple Street, Dallastown

ANNOUNCEMENTS

- October 16th – Halloween Parade
- October 17th-19th – PSAB Conference
- October 31st – Trick or Treat/Witch Watch and Dallastown/Red Lion Football Game

APPROVAL OF 8/11/14 MEETING MINUTES

Motion: Mr. Markel moved and was seconded by Mr. Liesman to approve the 8/11/14 Council Meeting minutes.

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. Kohler to approve the financial statements as presented.

Motion carried 7-0.

MAYOR'S REPORT

Mayor Meyers sent a written report to be distributed to all Council members.

RESCUE FIRE COMPANY REPORT – A representative was not present.

VISITORS/PUBLIC COMMENT

- **Rick Carr – 460 N. Lombard Street** – Mr. Carr spoke to Council concerning the growing need for financial help with student lunches. Some children are falling through the cracks and are going without lunch. Some community volunteers have come forward and offered to donate funds to help offset some of these needs. He said the Elementary & Middle School Personnel have guidelines to determine which students are able to benefit from the donations. The donations can be made directly to the schools: Dallastown Elementary, Leaders Heights Elementary, Loganville-Springfield Elementary, Ore Valley Elementary, York Township Elementary, Dallastown Intermediate and Dallastown Area Middle School. Mr. Smith told him that the Borough would not be able to donate due to working with tax dollars, but would be willing to put something in the Newsletter and on the Website to help.
- **Lee Friedman – 23 W. Main Street** – Mr. Friedman stated that he has lived in Dallastown for 25+ years and feels that the vegetation ordinance has fallen through the cracks. He suggested that the Borough is too large for one person and Mr. Garabedian (Zoning Officer) should have help. Mr. Smith stated that the Borough does the best it can with what it has.
- Mr. Smith addressed the residents from W. Maple Street concerning the curb and sidewalks that were marked for a potential street project. He told them that this is all just preliminary to see what needs repaired in order to calculate a potential cost. The Borough is not currently at the point where the project will happen. If and when it does, the residents will receive a letter well in advance. The project also needs to be approved by the Water Authority. When a project is done, the Borough and Dallastown-Yoe Water Authority like to work together in a joint project. That saves money in the long run. Mr. Smith then asked for any questions or comments from the residents.
 1. **Steven Eberly – 437 W. Maple Street** – Mr. Eberly understands that the residents will be paying for any curb and sidewalk repairs/installations and wanted to know why when there were other areas on their same street that didn't have to pay. Mr. Smith explained that the Borough applied for CDBG (Community Development Block Grant) money with York County Planning, but that particular project was not approved. Charles Street was the only area that was approved for grant money and the Borough will only be receiving a portion of what was applied for. The County has a formula which they use to determine which areas of the County are awarded the

grant money. Mr. Smith explained that it is a process and the marking of the sidewalks is the very beginning of that process. The Borough will be able to re-apply for grants again in 3 years. Mr. Smith also told him and all the residents present that if there are any questions about the project in the future, please speak to either Connie Stokes (Borough Manager), himself, or Mayor Meyers. Mr. Eberly then asked if he could get a list of grants and Mr. Smith told him to submit a Right to Know Request to Ms. Stokes.

2. Another resident, who did not give her name and address, asked if the properties without sidewalks will be required to put them in or if it will be grandfathered? Mr. Smith stated that there is no such thing as grandfathering as far as curb and sidewalks are concerned. Unfortunately, if the sidewalk ordinance is stricken from the books, the Borough would no longer be able to apply for CDBG money.
3. **Cheryl Moul – 457 W. Maple Street** – Ms. Moul stated that the storm drain that was done near her home is still backing up. Also, there were no handicap walks put in either.
4. A question was asked as to whether Columbia Gas was consulted concerning the project? Mr. Smith stated that the other utilities are always consulted when the Borough is doing any kind of street project. Joint projects are always a better way to go.
5. **David Seager/Keri Wilson – 436 W. Maple Street** – They currently do not have sidewalks. If they are required to put in curb and sidewalk and someone falls, who would be liable? Attorney Jones stated placement of sidewalks does not change liability. Someone could fall on the side of the road in front of their home and even though it is a public road, the homeowner is still liable.

If Dallastown-Yoe Water Authority agrees to do the project, letters will go out to all residents affected within a month.

- **Cheryl Moul – 457 W. Maple Street** - Ms. Moul asked if “no parking” signs could be placed on both sides of W. Maple during the Halloween Parade. Last year is got so congested in that area and people were actually parking in the cemetery. Ms. Stokes stated that putting “no parking” signs on both sides of the street would not be a problem.
- The residents also thought that there was a need for more of a police presence on W. Maple to cut down on the speeding. Mr. Smith stated that it is hard to enforce speeding on W. Maple due to the street being so narrow. They would need to use Vascar, but then there is nowhere for the police car to hide. They then asked about the blinking speed sign. That might be a possibility.
- **Danton Barnes – 333 W. Maple Street** – Mr. Barnes is a tenant of W. Maple Street and was wondering who the letter will be sent to if the property is a rental. The letter will be sent to both the owner and tenant.
- **Joe Szmajda - 18 S. Park Street** – Mr. Szmajda just wanted to let the residents of W. Maple Street know that if the neighbors go together and use one contractor, they will get a better price for the curb & sidewalk.

RECREATION

- The final Carnival figures were in and a summary was given to all Council members. The final net profit for the 2014 Carnival was \$21,222.00. Ms. Stokes thanked all who helped with the event.
- Sgt. Montgomery asked that two Carnival concerns he had be addressed. The first being the issue of smoking. He would like to see the park smoke-free during Carnival week. The second issue was allowing dogs into the park during Carnival.

Ms. Smith said she had received several complaints concerning the smoking. Attorney Jones did not think it could be done for one week, it's usually all or none, but he would do some research and get back to Council. The concerns will stay on the agenda to be re-visited at a later time.

- Mr. Metz was concerned with the amount of police presence during the Carnival and suggested that possibly next year the Sheriff's Department be contacted to provide some coverage.
- Now that the pole building has been erected at the park, Ms. Stokes feels two more cameras should be added. An estimate was received from Shawn Fife from Stage Masters in the amount of \$1,323.86. There is plenty of money in the Recreation account to pay for the installation. Ms. Smith wondered if 2 was enough coverage and Mr. Fife thought it was.

Motion: Mr. Liesman moved and was seconded by Mr. Kohler to approve the installation of 2 additional cameras at the park for the new pole building in the amount of \$1,323.86.

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

Mr. Markel asked what was going to be done on the blind side of the building by the fence. Ms. Stokes said the cameras will shoot down that way, plus a motion sensor light will be installed.

SOLICITOR'S REPORT

- There were some language revisions made to the Police Contract concerning the Communications Officer with a rank not less than a corporal (Section 1d) that need approved.

Motion: Mr. Metz moved and was seconded by Mr. Markel to approve the Contract between York Area Regional Police Department and Dallastown Borough with the language revisions for Communications Officer.

Motion carried 7-0.

- The Garbage Bids are out and are due to be back to Attorney Jones by September 22nd.
- Ordinance #2014-580, to opt into the Intergovernmental Cooperation Agreement for the Implementation of the York County Regional Chesapeake Bay Pollutant Reduction Plan, was ready to be signed.

Motion: Mr. Metz moved and was seconded by Mr. Liesman to authorize Ordinance #2014-580 to be signed by Council.

Motion carried 7-0.

ENGINEER'S REPORT

- All the environmental issues at the new White Rose Credit Union site at the corner of S. Pleasant & E. Main have been worked out. They are now dealing with PennDOT wanting a raised median at the Main Street entrance. They don't think the no left turn sign will work. The raised median will make people turn right.
- The plans for Colonial Park were sent out for comments to Dallastown Planning Commission, York County Planning Commission and York Township. York County Planning has responded and is ok with the plans, but York Township and Dallastown Planning Commission has yet to respond. Attorney Jones left a message for Mr. Deller's Attorney concerning the interest in the use of the farm, but he has not responded.
- The Sewer Maintenance Program with SWERP is done, however Change Order #7 still needs to be approved. The change order was done to extend the contract time from August 15th to August 27th and limit the work hours from 9:00 am-2:30 pm. There was also some lateral work which was deleted that resulted in a net decrease of \$25,998.00 from the original contract price.

Motion: Mr. Metz moved and was seconded by Mr. Markel to approve Change order #7 with SWERP.

Motion carried 7-0.

- Four CDBG applications were submitted to York County Planning, but the only one approved was Charles Street. The approval was only for a portion of what was requested dollar-wise and will need to be stretched. The fact that the project is by the elementary school and the great need helped with the approval process. The Borough has no projects on the short list either.
- Comments will be coming out for the project at Debra's Glass. A draft copy was left with Ms. Stokes and Council will need to sign off on it.

BUSINESS FOR ACTION

- **Richard Bogart – 17 W. Maple Street** – Mr. Bogart is a member of the Dallastown Historical Society and was wondering what the time frame was to repair the water damage to the ceiling at 118 E. Main Street, which is the Historical Society building. Ms. Stokes stated she is currently waiting for quotes to come back from contractors.
He was also wondering with the extra storage space in the new pole building that was erected, would all the things that were being stored in the front room at 118 be moved out there. The answer was yes and the Historical Society will be able to use that space once the things are moved.
- **Dawn Wilmot – 218 W. Maple Street** – Ms. Wilmot wanted to make Council aware of the drug dealing that is going on in Park Lane behind her home. The police were also made aware of the situation. Mr. Smith stated that it is a police issue and that she should keep calling the police whenever she sees it happening. He told her she is allowed to take pictures and video without audio. Ms. Smith also suggested getting a license number and time of day that it is occurring.
- Another resident (no name or address given) was concerned with dogs running without a leash. Mr. Smith stated that Dallastown has a leash law. If a pet is not being contained on the owner's property it must have a leash. If he sees this happening, please call either 911 or the Animal Control Officer.
- Mr. Markel complained about pigeons at 340 E. Main Street and was told he would need an exterminator for that problem.

BUSINESS FOR INFORMATION/DISCUSSION

- Zoning Officer Report

REPORTS

- York Regional Emergency Medical Service
- Police Reports

ADJOURNMENT

Motion: Mr. Metz moved and was seconded by Mr. Liesman to adjourn the September 8th Council meeting.

Motion carried 7-0. 8:17 pm

Respectfully Submitted,

Susan Wertz