

**DALLASTOWN BOROUGH
175 E. BROAD STREET
DALLASTOWN, PA 17313
BOROUGH COUNCIL MINUTES
MAY 8, 2017 – 7:00 PM**

CALL TO ORDER

The May 8th 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
Paul Liesman
Kim Sterner
David Simpson
Brad Capatch

ALSO PRESENT

Connie Stokes – Borough Manager
Peter Ruth – Stock & Leader – Solicitor
Steve Malesker – C.S. Davidson – Engineer
David Garabedian – Zoning/Codes Officer
Joe Joines – Borough Maintenance

ABSENT

Terry Meyers, Sr. – Mayor – ill

VISITORS

Chief Tim Damon – York Area Regional Police Department
Patrick Noll – Fire Chief – Rescue Fire Co. #1
Krista Klingenmaier – 201 W. Broad Street, Dallastown
Brenda Rupp – 11835 Shaulls Road, Brogue
Mary Noone – 207 W. Broad Street, Dallastown
Lois Smith – 30 W. Prospect Street, Red Lion
Pete Ehrhart – 67 W. Howard Street, Dallastown (Borough Maintenance)
Mark Barnhart – 212 Troy Road, Dallastown (Borough Maintenance)
Marc Laucks – 245 S. Charles Street, Dallastown
Joan Klingenmaier – 3120 Skylight Drive W, York
Bernie Klingenmaier – 3120 Skylight Drive W, York
Gregory L. Ness – 36 S. Franklin Street, Dallastown (Borough Maintenance)
Sue Patterson – 223 S. Charles Street, Dallastown
Stephanie Hirt – 236 S Charles Street, Dallastown
Glen Collins – 115 S Walnut Street, Dallastown
Diane Collins – 115 S. Walnut Street, Dallastown
Kristine Cousler Womack – 14 S. Park Street, Dallastown
Justin Shaffer – 271 S. Pleasant Avenue, Dallastown
Jarod Bull – 629 Colonial Drive, Dallastown (Borough Maintenance)
Tim Cottrell – 201 S. Park Street, Dallastown

ANNOUNCEMENTS

- May 16th – Primary Election
- May 29th – Memorial Day Parade – 9:00 am

- May 29th – Memorial Day – Office will be closed
- June 9th & 10th – Free Community Yard Sale

APPROVAL OF 4/10/17 MEETING MINUTES

Motion: Mr. Liesman moved and was seconded by Mr. Simpson to approve the 4/10/17 meeting minutes as presented.

Motion carried 7-0.

APPROVAL FOR PAYMENT OF BILLS

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

Motion carried 7-0.

APPROVAL OF FINANCIAL STATEMENTS

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

Motion carried 7-0.

POLICE REPORT – The police report was given by Chief Tim Damon of the York Area Regional Police Dept.

- The 2016 Annual Report is done and a brief rundown was given as follows:
 1. Part 1 crimes decreased. These are the most serious crimes including homicide, bank robbery, burglary, aggravated assault, arson, motor vehicle theft and theft.
 2. Part 2 crimes increased. These include forgery, drunkenness, DUI, drug laws, gambling, liquor laws and all other offenses.
 3. Accidents decreased.
 4. Traffic Enforcement increased.
 5. There was an increase in the total calls the department received overall and the arrests increased.
 6. Specifically to Dallastown Borough: 26 assaults, 8 burglaries, 2 motor vehicle thefts, 2 rapes, 49 theft reports, 25 DUI arrests, 10 public drunkenness, 17 drug arrests, 12 fraud reports, 4 liquor law violations and 8 sex offenses.
- Two new female employees have been hired recently. Currently there are four female officers on the force. They try to make the effort to diversify within the force, but applicants are at a premium, both female and minority. They also have a high standard of employment and background checks in order to hire new employees.
- There have been 517 calls year to date. Out of that, 80 traffic citations have been issued, there have been 27 motor vehicle accidents, 3 heroin over doses, 2 armed robberies (both have resulted in arrests), 4 forced entry burglaries & 5 DUI arrests.
- Preparing for National Night Out on August 1st.
- Also preparing for the Carnival in August. Last year was very successful having 4 officers in attendance at all times. The plan is to repeat that again this year.

FIRE COMPANY REPORT – The Fire Company report was given by Fire Chief Patrick Noll.

- There were 51 calls total for the month of April with 10 of those calls being in the Borough. There was no loss.

- The Fire Police also responded to all 51 calls in April. 41 Fire Police responded for a total of 55.22 man hours.

VISITORS

- Marc Laucks – 245 S. Charles Street – Mr. Laucks was surprised and disappointed about the park closing. He is proud to be a resident of Dallastown and he felt it was important to stand behind and support the Borough. He is also disappointed with what he sees around his own home with regards to peoples care of dogs or lack of care of dogs and the disrespect of property in not cleaning up after them. He actually thanks people who do pick up after their dogs because it is important to them as a pet owner. Other people don't care and let their dogs urinate on his flower garden. After also hearing about the young girl that was bit by a dog at the park, he felt maybe there was something he could do other than expressing his dissatisfaction about the whole thing. He wanted to show his support and help be a part of the solution.
- Stephanie Hirt – 236 S. Charles Street – She agreed with Mr. Laucks. A few weeks ago she had an incident where two dogs charged her, her son & grandson in the yard. She called the Borough and was advised to call Animal Control. The owner of the dogs actually came down to her house and confronted her, walking his dogs up and down in front of her house and cursing. She then called the police. Since the park has been closed the kids are filtering down to Cougar field. Last week she observed approximately 40 kids beating a girl in Cougar field. Also, there are still issues with parking at the field. She'd like to know where she stands and what she can do when kids are trespassing on her property and very disrespectful when asked to leave. Mr. Smith told her, and Chief Damon agreed, to call the police no matter how trivial in order to have a report of the incident on file. He also told her that she would have to be willing to follow thru if charges are filed so it's nothing more than an empty threat.
- Sue Patterson - 223 S. Charles Street – Ms. Patterson reiterated that things are bad and the kids are very disrespectful. She suggested to bring back the Block Watch. Chief Damon said he has Block Watch signs at the police department that he would supply. Mr. Smith stated that the Borough is over 50% renters and this is part of the problem. Everyone agreed. Ms. Patterson stated that there are quite a few landlords that live out of state and could care less about what happens. Mr. Smith stated that ordinances were just rewritten with a little more teeth to go after the landlords, making them more accountable. The Borough can only do so much as a municipality, then it falls on the judicial system to enforce. This is a work in progress and won't be fixed overnight. He asked that residents get their neighbors involved and be proactive in the community. We have to all work together for a common cause.
- Pete Ehrhart – 67 W. Howard Street – On Friday night, there were approximately 20 kids with their phones plugged into the fire company electrical receptacles. The receptacle covers were also broken off. Some of the firefighters went out to talk to them, asking them to leave. They wouldn't go because their "phone weren't done charging" and proceeded to curse at the firefighters. They finally did leave, but upon returning from a fire call that same night, actually 1:30 the next morning, the kids were back again. At that point the Fire Chief had words with them. The curfew is from 11:00 pm until 6:00 am, 7 days a week. He has had kids fighting on his front lawn and when he says anything the parents come knocking at the door. Nobody has any respect for other people's property any more.
- Christine Cousler-Womack – 14 S. Park Street – She has problems with the trash piling up in the yard, animal feces and the cursing as the kids walk by. She also has a two year old and he loves the park.

Even though she's only been a Dallastown resident about 4 years, she is willing to do whatever she can to help get the park open again.

- Mary Noone – 207 W. Broad St. – Asked why something isn't done to the kids that are causing the problems. Parents should take the problems in hand. Joe Joines, borough maintenance, agreed that the problems start at home. He said the park was closed due to vandalism, trash, fights, dog fights and general disrespect. It was closed in hopes that it would education them a little to be more respectful and take better care of the place. It's difficult to rent the pavilion to families with spray painted vulgarities all over the tables and walls. They pile tables up to get on the roof, spray paint the ceiling, and tamper with the lights. Last year maintenance painted the pavilion 4 or 5 times. Mr. Smith explained that even with the cameras in the park, the kids are hard to catch. They know where the cameras are and do their best to avoid them. The Borough has sunk quite a bit of tax payers' money into trying to fix the issues over the years, including hiring private security to monitor the park. That is why Council is asking for the residents' help to try to fix this ongoing issue that continues to plague this town.

Ms. Noone also stated that dogs run loose in the neighborhood, doing their business in their yards and on the flowers. They call the police, they come, but it still continues summer after summer. She then asked if the fines are not big enough, why they can't be raised. Mr. Smith said that is not the Borough's decision to make. The fines are levied by the district justice. Attorney Ruth stated fines are not to exceed \$1,000.00 per violation, but are determined by the district justice on a sliding scale depending on the number of offenses that have occurred. Ms. Noone asked if fines are paid and Mr. Smith told her that people have learned how to work the system, so it could take years to pay a fine. The judicial system really needs to be tougher on the people who are guilty. The Borough doesn't want the money, but want compliance and for people to take responsibility for their actions.

Ms. Noone also asked if a license is needed for a junkyard or to run a daycare. Mr. Smith stated that with the daycare, there is no definitive proof. Attorney Ruth addressed the issue stating that junk is different things to different people. It falls on the district justice's interpretation of how the ordinance is written. It is up to the Borough to prove that the ordinance has been violated. Unfortunately, there are some loopholes and it's hard for the Borough to prove.

- Brenda Ropp – Brogue – Ms. Ropp used to live across the street and knows what the property in question looks like. She also asked why they get permission to park trailers on Borough property and don't move them. The property in question, which is a right of way, was never adopted by the Borough. That area between the houses reverted back to the homeowners, with each homeowner receiving half of the right of way directly behind their home. Trailers are allowed to be parked on the homeowner's property including the half of the right of way. Any issues the homeowners would have with that right of way would be a civil issue, not a Borough or a Police issue. An attorney would need to be obtained and suit filed.
- Glen Collins – 115 S. Pleasant Avenue – Would like to see the park re-open and would like to give any assistance needed in order to make that happen.
- Justin Shaffer – 271 S. Pleasant Avenue – His parents own Roma's and he is well aware of the problems with the kids in town. He's 28 and has been in Dallastown his whole life. Things are definitely different these days with kids being out of control. There has always been high-jinx with kids, but it never involved vandalism or destroying other people's property like today. He is not afraid to confront the kids and has, both at the pizza shop and at the park. Kids have too much access to other things these days which doesn't help. He is very concerned about the new "tobacco shop" which is to be opening

beside Turkey Hill. There is a sign in the window that says “Head Shop” which means they will be selling glass pipes, bongos, anything marijuana related. This can’t be good for the town. These kids are young and shouldn’t be exposed to this type of thing. He knows how hard the Borough works to try to keep things nice for the residents of the town. Dallastown is a small town and deserves better. He is willing to stand his ground and do whatever he needs to do to help. Mr. Smith asked him to continue to be a visibility, be a presence and keep doing what he’s doing.

- Mark Barnhart – 212 Troy Road – The reopening of the park is going to take a co-operative effort between Borough Council, Borough employees, the police and the public. Not one person or entity will be able to do it. Everyone will need to work together to get the park open again and keep it a nice, clean, safe place. He thinks some things to be considered would be securing the park after dusk, possibly putting barb wire around the top of the fence again, using the camera in a pro-active way and having community clean-ups in the spring & fall.

Ms. Cousler said about possibly working something out with the school for kids to get time off of their school day to do community service and help clean-up the park.

- Tim Cottrell – 201 S. Park Street – He had some ideas such as motion detection cameras that snap stills then send out an email and changing the park hours, requiring kids under 18 to be with a supervising adult. He is interested in a resolution.
- Greg Ness – 36 S. Franklin Street – He has been a resident for almost 72 years and feels that the problem is the parents. A lot have no time for their kids and the only way to get through to the parents is thru their pocketbooks. He is willing to help.

Mr. Smith stated that alternatives are what is needed and if residents are interested in helping he asked that they sign a sheet in the back of the room in order to organize a committee. Marc Laucks volunteered to be the spear head of the committee. The volunteers will put their heads together to come up with ideas or solutions to the problems, working together with the Borough.

SOLICITOR’S REPORT

- Attorney Ruth met with Ms. Stokes & Mr. Garabedian regarding some revisions to the code of ordinances. The revisions will be brought back to Council for review.
- Attorney Ruth has a few dates with which he is trying to co-ordinate a meeting with Mr. Deller and his counsel in order to resume talks concerning the future sewer project in Colonial Heights. Mr. Simpson was added to the group of Borough representatives attending the meeting.

ENGINEER’S REPORT

- Last month the sewer maintenance program was awarded to Mr. Rehab. The agreement and notice to proceed are both ready to be executed.
Motion: Mr. Liesman moved and was seconded by Mr. Simpson to approve the execution of the agreement with Mr. Rehab and the notice to proceed.
Motion carried 7-0.
The start date is May 22nd and end date is July 20th.
- The Interceptor Replacement project is ready to be advertised for bids. There was no grant received for this project.
Motion: Mr. Simpson moved and was seconded by Mr. Liesman to authorize C.S. Davidson to advertise for bids for the Inceptor Replacement project.
Motion carried 7-0.

- Bids were opened for 3 paving projects in 2017, Wyandotte, West Willow and West Park. There were only 2 bids received, Kinsley Construction and York Excavating. Kinsley was the low bid at \$79,500.00. Mr. Malesker feels this is a fair price and is actually under the engineering estimate.

Motion: Mr. Liesman moved and was seconded by Mr. Metz to award the 2017 paving improvements project to Kinsley Construction in the amount of \$79,500.00.

BUSINESS FOR ACTION

- The Garbage Contract with Penn Waste ends 12/31/17. Per the contract, the Borough has the option of extending the contract for one or two more years at no increase in price.

Motion: Mr. Metz moved and was seconded by Mr. Liesman to extend the contract with Penn Waste for an additional 2 years at no additional cost.

Motion carried 7-0.

BUSINESS FOR DISCUSSION/INFORMATION

- A good bit of feedback was heard from the public on the park. Council then gave some of their thoughts concerning the park.
 1. Mr. Metz stated that he thought the park definitely needs to be monitored. Mr. Joines spoke to Barry Myers from York County parks and they have “Park Ambassadors” that monitor Rudy Park. It’s a group of volunteers that monitor the people in the park and if anything goes awry the police are called.
 2. Attorney Ruth suggested adding a specific curfew for the park.
 3. Mr. Metz stated that curfew needs to be enforced by the police.
 4. Council is giving the new committee time to get together to try to hash out a plan before opening the park.
 5. Post signs on the park fence around the whole perimeter saying “Park Watch in Play” & “Video Surveillance”.
 6. Mr. Joines suggested when the park does open, only open the one gate at the fire company parking lot.
 7. Mr. Smith suggested possibly looking into a new type of camera technology called “Starlight Vision”. It actually gives a better quality color picture.
 8. Mr. Metz suggested someone on Council be a liaison to the Park Committee. Mr. Metz and Mr. Sterner both volunteered. He also feels a member of the police department should attend the committee meetings.
 9. Mr. Joines & Mr. Bull also suggested putting a walking trail around the perimeter of the park to attract more adults to the park.
 10. Mr. Bull also liked the idea of a camera at the gate which takes everyone’s photo coming into the park. Then those photos can be compared to video.
 11. Mr. Smith will speak to Chief Damon about the officers logging onto the park video live feed to monitor park activity.
 12. Ms. Cousler suggested having a ribbon cutting ceremony when the park actually opens.
- Zoning Report was given by Mr. Garabedian.
 1. The owners of the property beside Turkey Hill where the tobacco shop is to eventually be, came to discuss it with Mr. Garabedian, but an actual application was never received. The application would need to go before the Zoning Board before the shop can open.

2. Bethlehem United Methodist Church is acquiring more residential properties for parking lots (11 total). They will need to go thru Zoning, at least for the coffee shop to make sure it is a separate entity of the church and not for profit plus stormwater aspects of the parking lots.

REPORTS

- Police Reports
- York Regional Emergency Medical Services
- Klugh Animal Control

ADJOURNMENT

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

Motion carried 7-0. 8:58 PM

Respectfully submitted,

Susan A. Wertz