

**DALLASTOWN BOROUGH
175 E. BROAD STREET
DALLASTOWN, PA 17313
JULY 22, 2013 – 7:00 PM
COUNCIL MEETING MINUTES
PUBLIC HEARING**

CALL TO ORDER

The July 22nd meeting of the Dallastown Borough Council was called to order by Council President, Ronald Smith, followed by prayer, pledge of allegiance and roll call.

MEMBER'S PRESENT

Ronald Smith – President
Richard Bogart – Vice President
Quay Markel
Bernell Kohler
Gina Smith
Karen Hoyt-Stewart

ALSO PRESENT

Terry Meyers - Mayor
Connie Stokes – Borough Manager
David Jones – Stock & Leader – Solicitor
Richard Resh – C.S. Davidson

ABSENT

Steve Malesker – C.S. Davidson – Engineer - Vacation

ABSENT

Tomas Metz – Prior Personal Commitment

ANNOUNCEMENTS

- ◆ Tuesday, August 6th – National Night Out at the Community Park – volunteers are needed
- ◆ Tuesday, August 13th thru Saturday, August 17th – Carnival – volunteers are needed

THERE WAS AN EXECUTIVE MEETING HELD CONCERNING PERSONNEL ON 7/15/13.

APPROVAL OF 7/8/13 MEETING MINUTES

Motion: Mr. Bogart moved and was seconded by Mr. Markel to approve the 7/8/13 meeting minutes as presented.

Motion carried 6-0.

APPROVAL FOR PAYMENT OF BILLS

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

Motion carried 6-0.

APPROVAL OF FINANCIAL STATEMENTS

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

Motion carried 6-0.

****PUBLIC HEARING****

PUBLIC SEWER EXTENSION TO SERVE THE COLONIAL PARK AREA

See list attached for hearing attendance.

Mr. Resh did a re-cap of the events leading up to DEP requiring action to be taken concerning sewer installation in the Colonial Park area. In 2011, Dallastown Borough made a commitment to DEP on a 5 year plan. C. S. Davidson's has prepared a planning module which will be on display for 30 days for residents to review and submit any comments. Comments must be received by August 3rd and will accompany the planning module and transcripts to DEP. Any questions concerning the planning modules can be submitted in writing to Ms. Stokes at the Borough Office and will be answered in writing. Apparently there are fewer problems than originally anticipated, so the Borough is requesting that the project be delayed to a 10 year project.

In 2011, feasibility studies were done leaving the Borough with mediocre options. At that time, dialogue with York Township Water & Sewer Authority was opened. After several joint meetings in 2012, York Township decided in October that there was not sufficient need to warrant public sewer installation.

The Borough looked at several sites in York Township for possible installation of a pump station. One location was on Blymire Road, but that would be too costly for the Borough to entertain by themselves. Another location was the Robert Deller Farm. Mr. Deller was approached concerning the project and he is willing to participate. The site was looked at to serve both Colonial Heights and the eventual development of the Deller Farm.

The Borough is now looking to revise the plan with construction of the public sewer not beginning for approximately 8 years. Borough Council's intentions are to submit a revised schedule to DEP for approval by the end of the year.

The Borough is considering into 2 different sewer systems, a gravity system with a pump station on the Deller Farm and a pressure system with individual grinder pumps. An information sheet comparing the costs of the 2 systems was handed out to the residents in attendance. Both options are very expensive but there is significant savings with the pressure system. The Borough is considering loaning \$1 million towards the project, interest free, with the balance of the project being financed by a bank loan or GO Bonds. Several different repayment scenarios were researched with regards to the construction costs and associated project costs and were shared with the public on the handout that was at the meeting for the residents. Each residence would also be charged a tapping fee of \$2,450.00 which would be paid at the beginning of the hookup. A separate sewer district will be created.

The meeting then went into a question & answer session:

Adam Koch – 654 Colonial Dr. – Q-If York Township has no interest in pursuing public sewer at this time, why select a pump station site in York Township? A-The Deller Farm overlaps the boundary line of the Borough and York Township.

Wayne Care – 266 KIRSTA Ln. – Q-Since DEP is a government agency, why can't they force York Township's hand?

A-York Township's records were reviewed and it was determined that they have newer systems plus larger lots than Colonial Heights.

Mr. Care also stated that a gravity system is the best. The pressure system would need a larger electrical service (200 amp) than most residents have, which would be an added expense. He also stated that grinder pumps don't last. Q-What happens if the power goes out? A-There was conversation concerning extended power outages and the Borough having a portable stand-by generator to come around and pump.

Mr. Bogart interjected that the cost estimates were the reason for re-visiting the pressure system.

Charles Mooney – 660 Colonial Dr. – Q-Would the Borough look at a total cost for each system and what it would cost each homeowner, in order for the residents to give opinions and recommendations? A-That would be worked on. Mr. Resh stated that they only work on the street side and not the homeowner side, so some outside help would be needed.

Lorin Deller – 131 Maylyn Ave – Comment-As a community, we do not want a pressure sewer system. He said it might be cheaper up front, but in the long run will be more expensive.

Gwen Wise – 613 Colonial Dr. – Q-Has anyone talked to the Barnett's or Stein's to see if they've had any problems with their pressure sewer systems? A-Both are pleased according to a neighbor.

Kim Sterner – 211 Kirsta Ln. – Q – If we go with the pressure system, the grinder pump will have to pump out of the development to another station somewhere, correct? A-No, it will go into a part of the Borough gravity system. Q-What if later down the road, a pump station still needs to be installed? A-If a pump station goes in at the Deller Farm that would be part of the subdivision and would not be subsidized. Q-Is the Duke Street pumping station at its max right now? A-It's close to its max. Different options are being looked at to eliminate infiltration or upgrade. Mr. Sterner feels that the Borough should look long term and upgrade now before anything happens to the pump station.

Sandy Sterner – 211 Kirsta Ln. – Q- Why can't a pumping station be installed on the Deller Farm just for those 75 homes? Is Mr. Deller putting stipulations on the Borough in order to use his land? Is there any indication from York Township that possibly in 15 years they might need a pump station in that location due to failing systems? If York Township is not interested, why is the Borough worry about it? The Borough needs to worry about the best interest of the people in the Borough only. A-The Borough looked at several sites for a pump station, but most were not suitable. The Deller Farm was looked at only because he had indicated a willingness to sell the property and eventually develop it which would increase the customers with only a small increase in cost. The location would meet York Township Sewer Authority's long term needs. Q-Can the pump station be done in sections? A-No, it can be done at a smaller gallons per minute, then increased when need be in the future. The unit will be sized for ultimate use. Mrs. Sterner feels that York Township is having some problems in the nearby area, but realizes that DEP was only pointing the finger at the Borough. She would like to see the same gravity type of sewer system put in their development as in the rest of the Borough.

Attorney Jones interjected that when a municipality is doing any planning and it is on the edges of other municipalities, DEP requires that those areas are taken into account when planning. When York Township has the need to use the pumping station, the Borough's costs will be extracted and York Township will be required to make any upgrades to the pumping station to fulfill their needs.

Gordon Fleming – 645 Colonial Dr. – Back in 2011, when the other two homes were done, Mr. Fleming was having some problems and was asked if he wanted to have something done at that time. They were told at that time that the project would take place in approximately 5 years. He is paying \$170.00 quarterly to have his tank pumped out and was wondering if he can sell his house as it currently stands? He would like to see the project moved ahead sooner than 2021. A-2021 is only a request to DEP with no guarantee of acceptance.

Charles Mooney – 660 Colonial Dr. – With the pressure system and having pumps at each household, how much additional effort is going to be required to get it up the hill? A-There are different grades of grinder pumps and those that must pump uphill would require a higher grade of pump.

Mike Moritz – 155 April Ln. – Q – Will the residents in Colonial Heights have a different sewer rate than everyone else in Dallastown? A-Yes, you probably will, due to the surcharge.

Paul Grove – 220 Kirsta Ln. – Q-What happens if a resident can't afford to do this? A-The York County Planning Commission currently has a sewer hookup program for low income residents. They will loan the money to do the hookup and payment is not required until the house is sold. The house should have a higher value with public sewer.

Georgie Daugherty – 177 Maylyn Ave. – Comment-They have been in their home for 39 years and were told when they purchased it that the sewer would be coming through in 2 years, but never did. If that would have been done, they wouldn't be in these circumstances now. A-The sewer was built in the rest of the Borough in 1973 & 1974. At that time there were only 19 scattered homes in Colonial Heights and the Dallastown Borough Sewer Authority decided that due to the distance from the pump station and the few homes that were there, it was not feasible.

Kenneth Billet – 667 Colonial Dr. – Comment-He feels the pressure sewer option makes no sense and he is not in favor of it. He thinks there are hidden costs associated with the grinder pumps which have not been disclosed. He also feels Council should take the initiative and do the right thing and everyone in the system should share in the cost. A-Attorney Jones stated that the surcharge that Mr. Resh spoke of was actually for the repayment to the Borough for the \$1M, interest free money they are loaning up front. The surcharge would be added to the existing base sewer rate until the loan is paid in full. Once the loan is paid off, it would revert back to the base rate. Q-When the sewer was put in originally, how was that paid for, tax dollars? A-It was paid for by the people who use the system, not tax dollars. The sewer is a user paid system, not a tax system. The area that was sewered had a heavy density and was looked at on a financial stand point. The outlying areas which were sparsely populated would have cost more to service at that time.

Georgie Daugherty – 177 Maylyn Ave. – Q-It was discussed earlier in the meeting that with Option 2D they would get the pump station in and the gravity sewer system with the residents of Colonial Heights paying for it. Then later down the road if York Township would hook in, they would pay the Borough back in the form of a rental fee after the residents of Colonial Heights already paid the initial upfront costs? A-York Township would pay an upfront fee which would go towards paying back the loan, which would in turn lessen the surcharge paid by the Colonial Heights residents. They will also pay a prorated share of the operation fees.

Adam Koch – 654 Colonial Dr. – Q-It’s an inevitability and needs to be done, but the costs will be staggering. Would anyone on Council be willing to work with him to explore government grants or low or non-interest loans to help out the residents with the costs? A-York County Planning Commission is the resource to go to for that. They know what’s available due to working with the Department of Community & Economic Development on a daily basis and deal with groups who provide funding. They have a lot more resources and know what’s out there.

Lorin Deller – 131 Maylyn Ave. – Q-Has it been researched, with whichever system is decided upon, if the existing septic system is in the front of the property, will that system need to be removed and filled? A-It does not need to be taken out, just filled. The Borough’s project will stop at the street curb line and it would be the homeowner’s responsibility to get it from the street to the house. Q-Will they be able to go through the tank when the line is run from the street to the house? A-They will have to go around the tank.

Terry Billet – 221 KIRSTA Ln. – Comment – He feels Council should hear the voices of the people of the development and go with something they want, even if it is at a higher cost, as opposed to something they don’t want.

Mike Moritz – 155 April Ln. – Comment – Pushing the project off until 2020 will make the costs greater.

Kim Sterner – 211 KIRSTA Ln. – Comment – The majority of the residents are not against the sewer, just the grinders. It is a cheaper way to go, but in the long run will be more expensive as far as maintenance. Grinder pumps have an average life of 10 years.

Chip Zager – 602 Carrie Dr. – Comment – He realizes some of the residents would like to start the project sooner, but some of the households have younger children and kids in college, who would like to start later.

Steve Niphakis – 250 KIRSTA Ln. - Q-The Borough must go to DEP for permission for an extension? A-Yes. The current project has us at a 5 year plan. Q-What happens if DEP makes us stick to the original plan? A-We will be designing the project a lot sooner. We could still be on the original time schedule because a good bit of the upfront research and studies have already been done.

Charles Mooney – 660 Colonial Dr. – Comment- What’s the benefit of moving the project up 5 years? Realistically nobody likes to spend money, but the longer it is put off, the more expensive it will be. It has to be done, we need to bite the bullet and do it.

Mr. Smith asked for the consensus of the audience that live in that area that want to move the project up. The response was overwhelming that want it sooner than later. Borough Council makes the final decision, but they were relying on the response from the residents of that area. It was stated that there are pros and cons to each scenario and that the Borough should find a way to help the people who can’t afford it.

Mr. Bogart suggested that cost estimates are gathered for all aspects of the project before a decision is made to move forward or push it back. Attorney Jones stated that he didn’t think any of the estimates should include the

Deller Farm. Estimates are needed on what it would cost the homeowner right now, including hookup costs. Mr. Sterner volunteered to check with Bortner Bros. to see if they would be willing to come down to give some insight, guidelines and rules.

Kenneth Billet – 667 Colonial Dr. – Q – If you have a pressure fed system, does that mean everyone hooks up to the grinder pump or just the houses that need to push upstream. A-There’s nobody upstream, everyone would have a grinder pump.

Rick Lobianco – 230 KIRSTA Dr. – Q-There is a wooded area between Pleasant Avenue and KIRSTA Lane. Has that been looked at for a pump station? A-Yes it was. There are a lot of wetlands in there and the access road would be very expensive. Permitting problems were also feared due to streams. They decided against it.

Charles Mooney – 660 Colonial Dr. – Comment – Seven years from now, with inflation increasing 3% each year, the project would cost 21% more.

At 8:30, Mr. Smith stated that one more question will be taken before wrapping up the public meeting. This is just the first of many public meetings.

Sandy Sterner – 211 KIRSTA Dr. – Q-Is there a public meeting schedule? A-Not yet. The residents will be notified.

SOLICITOR’S REPORT – Nothing to report.

ENGINEER’S REPORT

- ◆ Mr. Resh handed out the S. Duke Street Corrective Action Plan including a copy of what went to the State. A call was received from DEP and they would like us to look at another scenario on pump station upgrades. They want an end date to the elimination of overflows at the pump station. Mr. Resh asked that Council review until the next meeting when it will be on the agenda again. Mr. Resh will be at the August 12th meeting also.
- ◆ Mr. Smith asked how fast the sewer project can be done. Mr. Resh said 2015. Planning modules would need to be done for the gravity system. It was suggested that a list of approved plumbers be given to the residents, plus request that some plumbers be at the next public meeting.

BUSINESS FOR ACTION

- ◆ David Garabedian had worked with Mr. Taggart briefly and has been filling in for codes & zoning. He has a master’s degree in business from Clarion University. He is already an employee of the Borough and would like Council’s approval to be the acting Zoning & Codes Officer.
Motion: Mr. Bogart moved and was seconded by Ms. Smith to approve David Garabedian as the acting Zoning & Codes Officer.
Motion carried 6-0.
- ◆ The Dallastown-Yoe Water Authority has lost Eric Stambaugh as a Dallastown member due to moving out of the Borough. Patrick Callahan has presented a letter of interest to the Authority who is, in turn,

presenting his recommendation to Council. Mr. Markel asked if the position was publicized and Attorney Jones said that it didn't have to be and that the recommendation is coming from the Water Authority.

Motion: Ms. Smith moved and was seconded by Mr. Bogart to approve the recommendation of Patrick Callahan as the replacement for Dallastown-Yoe Water Authority.

Motion carried 4-2. (Mr. Markel and Ms. Hoyt-Stewart voted against)

BUSINESS FOR DISCUSSION/INFORMATION – N/A

REPORTS

- ◆ Police Reports

ADJOURNMENT

Motion: Mr. Markel moved and was seconded by Mr. Kohler to adjourn the meeting.

Motion carried 6-0. 8:45 PM

Respectfully Submitted,

Susan A. Wertz