

**Dallastown Borough  
175 E. Broad Street  
Dallastown, PA 17313  
January 14, 2013 – 7:00 PM  
Council Meeting Minutes**

**CALL TO ORDER**

The January 14<sup>th</sup> 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  
Richard Bogart – Vice President  
Quay Markel  
Bernell Kohler  
Gina Smith  
Karen Hoyt-Stewart

**ALSO PRESENT**

Terry Meyers – Mayor  
Nate Taggart – Acting Borough Manager  
David Jones – Stock & Leader – Solicitor  
Steve Malesker – C.S. Davidson – Engineer  
Darryl Ehrhart – Chief – Rescue Fire Company

**ABSENT**

Tomas Metz – ill

**ANNOUNCEMENTS**

- The Rescue Fire Company Annual Appreciation Banquet is January 19<sup>th</sup>.

**APPROVAL OF 12/10/12 MEETING MINUTES**

**Motion:** Mr. Bogart moved and was seconded by Mr. Kohler to approve the 12/10/12 meeting minutes as presented.

**Motion carried 5-0 with 1 abstention (Ms. Hoyt-Stewart)**

**APPROVAL OF 12/21/12 SPECIAL MEETING MINUTES**

**Motion:** Mr. Bogart moved and was seconded by Mr. Kohler to approved the 12/21/12 special meeting minutes as presented.

**Motion carried 6-0.**

**APPROVAL FOR PAYMENT OF BILLS**

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

**Motion carried 6-0.**

**FIRE COMPANY REPORT** – Chief Ehrhart was present to give the Fire Company report.

- Chief Ehrhart was working on the year end reports for 2012 and there were 99 calls for the Borough, of which there was minimal damage.
- The final list of line officers for the Fire Company will be forwarded to the Borough.
- Chief Ehrhart stated that in the coming year, if he can't make the monthly Council meetings, he will have someone in his place to keep the lines of communication open.
- Mr. Smith congratulated Mr. Ehrhart on being re-elected as Chief and thanked him for the great relationship and communication between the Fire Company and the Borough.
- Mr. Bogart also thanked him for use of the Fire Hall for last year's Christmas events.

**MAYOR'S REPORT**

- Last month Mayor Meyers attended the Borough Council meetings and the Boroughs Association Banquet where Dallastown Borough again won half of the Annual Convention fee paid for this year. This was the 3<sup>rd</sup> year in a row that Dallastown won.

**VISITORS**

Chuck Wertz – 15 N. Park St., Dallastown – DYWA

Joe Szmajda – 18 S. Park St., Dallastown

Charles Yingling – 142 S. Duke St., Dallastown

- Mr. Wertz shared his concerns with the security at the front desk. With all the transactions coming across that desk for water and sewer, and the safety of the employees that work in the front office, there is no line of defense should someone decide to come across the counter. It is hard to know who to trust in today's world. Mr. Bogart agreed with Mr. Wertz and thinks the time has come to address it.  
**Motion:** Mr. Bogart moved and was seconded by Mr. Markel to authorize the Borough Manager to obtain quotes for having security features installed at the front window.  
**Discussion:** Ms. Hoyt-Stewart questioned whether a panic alarm button should be included too. She thinks Council should look at the bigger picture in determining the security.  
**Revised Motion:** Mr. Bogart moved and was seconded by Mr. Markel to authorize the Borough Manager to contact a security company to get an evaluation of what is needed for adequate security/safety.  
**Motion carried 6-0.**
- Charles Yingling inquired as to the reason the Borough does not accept credit cards. Mr. Smith explained that there are fees involved that the Borough would have to pass along to the consumer which would then increase the cost. After some discussion, Council decided to look into a third party billing carrier. Ms. Hoyt-Stewart suggested checking with other local municipalities. The Borough Manager is to make some inquiries.
- Mr. Yingling also received a letter from the Borough about his sewer lateral. He was questioning the \$35 inspection fee and wondered if the fee could be shared with neighbors. Attorney Jones explained that the inspection fee is paid per visit, per homeowner. Mr. Yingling also asked why the plumber's inspection couldn't be used and was told that the Borough must make sure the work meets their specifications. Attorney Jones stated that the Borough tries to be pro-active in alerting the residents of

any problems before they get to be a major problem. Maintaining the sewer system within the Borough is critical.

- Mr. Szmajda asked if the Special Meeting on December 21<sup>st</sup> was advertised. Attorney Jones stated that it was in the paper on December 20<sup>th</sup>.

### **SOLICITOR'S REPORT**

- There was nothing new to report on the Mill Creek Interceptor.
- Act 127 of 2012 (Public Works Employment Verification Act) is now in effect as of the 1<sup>st</sup> of the year. All public works contractors are now required to verify that newly hired employees are authorized to work in the US. It is not retroactive.

### **ENGINEER'S REPORT**

- Mr. Malesker, Engineer, and Joe, Borough Maintenance, met with Abel Recon in December to discuss sewer repairs. Didn't want to have to bid out the sewer repairs, so they met with Abel because they are listed on Co-Stars. The representative from Abel told them that the Department of General Services caps them at \$18,900 for any repairs even on Co-Stars. The Borough could have Abel repair the manholes that are leaking, but any other repairs will need to be bid. Attorney Jones stated that there were a lot of questions on how far Co-Stars can go and apparently it's the maximum bid limit. Attorney Jones will check into it before Mr. Malesker does any further work on it. Findings will be brought to next month's meeting.
- The Application for Final Payment to Kinsley Construction for the W. Maple Street Project has not come back from Kinsley's.
- Mr. Malesker received an email from Joiann at York County Planning concerning the Howard Street Project. Water was approved for this year and Borough curb & sidewalk was approved for next year. But, since we try to do our projects as a combined effort, YCP would be willing to allow the Borough to move up to this year. There is money available, but YCP needs to know by the end of this month. Mr. Taggart spoke to Ms. Stokes concerning this and she suggested going forward.

**Motion:** Mr. Markel moved and was seconded by Mr. Kohler to move forward and authorize engineering work to start on the Howard Street Project.

**Motion carried 6-0.**

- Negotiations for the future pump station are under way, but it is important to confirm that there are no environmental issues at the site which could prevent construction. C.S. Davidson received 3 quotes from environmental consulting firms to identify wetlands and conduct a Phase 1 Bog Turtle Habitat Survey, with the lowest being \$3,540.00 from Liberty Environmental. Mr. Bogart stated that Phase should be done as soon as possible in case it is necessary to go to Phase 2 due to time constraints.

**Motion:** Mr. Bogart moved and was seconded by Ms. Smith to authorize Liberty Environmental to begin Wetlands and Phase 1 work at a cost of \$3,540.00 and C.S. Davidson to then do the surveying and mapping at a cost of \$2,200.00.

**Motion carried 6-0.**

- FYI – Corrective Action Plan/Status Report #3 on the pump station was distributed to all Council members on work performed since 10/11/12.

## **BUSINESS FOR ACTION**

- The 1986 Chevy Dump Truck that the Borough owns is having major issues and the Borough is looking to get rid of it by either selling it outright or selling it for scrap. Per Attorney Jones, in order to sell the truck outright, it must go out for bids. If the bids are declined by the Borough, it must again be advertised for bids and so on until no bids are received. The truck can be sold for scrap without going thru the bidding process. An offer was made by an individual to buy the truck outright for \$1300.00. Prices were also obtained from 3 different salvage yards if the truck was sold as scrap. These prices ranged from \$4.00 to \$10.00 per hundred lbs. Attorney Jones asked if the blue book value was obtained. If the blue book value is under \$1000.00 then the truck would not have to be put up for bids.  
**Motion:** Mr. Markel moved and was seconded by Mr. Bogart to scrap the vehicle for the highest price.  
**Motion carried 6-0.**
- The ordinance concerning the absence of the Borough Manager needs to be re-worked. Shelly at PSAB is to be contacted to see if there might be a model to work off of.
- Approval for Stock & Leader to be retained as Borough Solicitor.  
**Motion:** Mr. Kohler moved and was seconded by Ms. Smith to retain Stock & Leader as the Borough Solicitor.  
**Motion carried 6-0.**
- Approval to retain C.S. Davidson, Inc. as Borough Engineer.  
**Motion:** Ms. Smith moved and was seconded by Mr. Markel to retain C.S. Davidson, Inc. as the Borough Engineer.  
**Motion carried 6-0.**
- Approval to retain Linda Shaub as the York Adams Tax Bureau Representative.  
**Motion:** Mr. Markel moved and was seconded by Mr. Kohler to retain Linda Shaub as the York Adams Tax Bureau Representative.  
**Motion carried 6-0.**
- Approval to retain Peoples Bank as the Borough Depositor Bank for 2013.  
**Motion:** Ms. Smith moved and was seconded by Mr. Markel to retain Peoples Bank as the Borough Depositor for 2013.  
**Motion carried 6-0.**
- Approval to retain PIRMA as the Borough Liability Insurance Carrier for 2013.  
**Motion:** Mr. Markel moved and was seconded by Mr. Bogart to retain PIRMA as the Borough Liability Insurance Carrier for 2013.  
**Motion carried 6-0.**
- Approval to retain Keystone Mutual Insurance for Workman's Comp for 2013.  
**Motion:** Mr. Kohler moved and was seconded by Mr. Bogart to retain Keystone Mutual Insurance for Workman's Comp for 2013.  
**Motion carried 6-0.**

- Approval to retain Benecon as the Administrator for Health Insurance and STD (Short Term Disability) for 2013.  
**Motion:** Mr. Bogart moved and was seconded by Mr. Markel to retain Benecon as the Administrator for Health Insurance and STD for 2013.  
**Motion carried 6-0.**
- Approval to retain Hartford for Life Insurance for 2013.  
**Motion:** Ms. Smith moved and was seconded by Mr. Bogart to retain Hartford for Life Insurance in 2013.  
**Motion carried 6-0.**
- Approval to retain the Beautification Committee for 2013. Council questioned as to whether it is still a viable committee. Mr. Bogart stated that even though there are only 3 members, they would like to still try for at least another year.  
**Motion:** Mr. Kohler moved and was seconded by Mr. Markel to retain the Beautification Committee for 2013.  
**Motion carried 6-0.**
- Approval to retain the Outstanding Citizen Committee for 2013.  
**Motion:** Mr. Bogart moved and was seconded by Ms. Smith to retain the Outstanding Citizen Committee for 2013.  
**Motion carried 6-0.**
- Approval on mileage reimbursement as recommended by the State at \$.555.  
**Motion:** Mr. Bogart moved and was seconded by Ms. Smith to approve the State recommended mileage reimbursement of \$.555.  
**Motion carried 6-0.**
- Approval for Resolution #2013-1 concerning Stormwater Management Activity fees. Council felt there needs to be some clarification of language. Will be revisited at the 1<sup>st</sup> meeting in February for approval.

#### **BUSINESS FOR DISCUSSION/INFORMATION**

- Pennsylvania's Covered Device Recycling Act 108 will go into effect January 24<sup>th</sup> of this year. At that time the waste hauler, Penn Waste, will no longer pick up any electronic devices. This change will need to be added to the Recycling Ordinance. An inquiry should be made to Penn Waste as to whether they will be notifying the residents.
- Internal policy for absence of Borough Manager and cross training will stay on the agenda and be discussed at a later date.

#### **REPORTS**

- Police Reports
- Yoe Ambulance Reports for December, the 4<sup>th</sup> Quarter of 2012 and the Year 2012
- Hemler Animal Control Report

**\*\*\*EXECUTIVE SESSION\*\*\* 8:17 – 8:34 PM**

**ADJOURMENT**

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

**Motion carried 6-0. 8:35 PM**

Respectfully Submitted,

Susan A. Wertz