

**DALLASTOWN BOROUGH
175 EAST BROAD STREET
DALLASTOWN, PA 17313
MAY 13, 2013 – 7:07 PM
COUNCIL MEETING MINUTES**

CALL TO ORDER

The May 13th meeting of the Dallastown Borough Council was called to order by Council President, Ronald Smith, followed by prayer, pledge of allegiance and roll call. The meeting was called to order a few minutes late due to a public meeting concerning the Howard Street Project that was held at 6:30, prior to the Council meeting.

MEMBERS PRESENT

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

ALSO PRESENT

Terry Meyers, Sr. - Mayor
Connie Stokes – Borough Manager
David Jones – Stock & Leader - Solicitor
Steve Malesker – C.S. Davidson - Engineer
Nate Taggart – Zoning Officer
Joe Joines – Borough Maintenance
Darryl Ehrhart – Fire Chief

ANNOUNCEMENTS – Read by Mr. Smith

- May 21st – Election Day
- May 27th – Memorial Day – Office will be closed
- May 27th – American Legion Memorial Day Parade – 9:00 am
- June 7th & 8th – Free Community Yard Sale

APPROVAL OF 4/8/13 MEETING MINUTES

Mr. Bogart made a correction on page 2 in Visitors/Public Comment, first bullet. Mr. Smith made the statement concerning the Borough being divided into 5ths, not Mr. Bogart.

Motion: Mr. Metz moved and was seconded by Mr. Markel to approve the minutes from 4/8/13 with the correction to page 2.

Motion carried 7-0.

APPROVAL FOR PAYMENT OF BILLS

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

Motion carried 7-0.

APPROVAL OF FINANCIAL STATEMENTS

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

Motion carried 7-0.

YORK AREA REGIONAL POLICE DEPARTMENT – There was not a representative present.

FIRE COMPANY REPORT

Chief Darryl Ehrhart was present to report to Council.

- There were 6 fire calls in March and 5 in April with no loss.
- There is to be a Line Officers meeting to discuss and implement new procedures for safety. Some changes need to be made concerning traffic control, which is not getting any easier.
- There is a Carnival meeting coming up.
- The new truck is ordered and the chassis should be in sometime next month. It shouldn't be too long until the truck will actually be sitting in the station.

MAYOR'S REPORT

- A written report was distributed to all Council members.
- Mayor Myers also had 2 recommendations for No Parking signs:
 1. On N Charles St, between Maple & the alley, there was a no parking sign. The sign was removed when the paving was done and never replaced.
 2. On Broad St, between Lombard & Pleasant, it is difficult to get around the vehicles parked there. Traffic is going into the other lane to get around the parked vehicles. Mr. Smith stated that issue was addressed a few years ago and the residents there have no off-street parking.

VISITORS/PUBLIC COMMENT

- Sonja Hicks – 302 W. Maple St, Dallastown
John Stallings – 302B W. Maple St, Dallastown
Both residents wanted to address the street sweeping. They stated that the Borough Ordinance states the streets must be posted at least 24 hours in advance and Maple Street was not. Ms. Hicks stated that she has been ill and in & out of the hospital. She did not see the No Parking signs. Her vehicle was ticketed, towed and cost her \$125.00 to get it back, which really took a chunk out of her income. Mr. Stallings & Ms. Hicks asked how it works with people who are parked legally then leave town for a few days and come back to their vehicles being towed. Council agreed that there should be a better system and will put it on the agenda to address at the next Council meeting.
Motion: Mr. Bogart moved and was seconded by Mr. Markel to refund Ms. Hicks the \$125.00 she paid for towing and rescind the ticket.
Motion carried 7-0.
- Arthur Wertz – 15 N. Park St, Dallastown
Mr. Wertz, as a representative of the Dallastown-Yoe Water Authority, informed Council that a Water Sales Agreement between Dallastown-Yoe Water Authority and Red Lion Municipal Authority has finally been ratified. It's a 10 year contract with an option for two 5 year extensions. There is also an option to end the contract with a 6 month notice. It addresses water quality issues after the new plant is built, which should be up and running in a year.

- Richard Resh – C.S. Davidson, Inc. – 38 N. Duke St, York

Colonial Park Update:

1. CBS Environmental Services re-installed the flow meters for a 4 week period. They have been removed and C.S. Davidson should receive the data later this week. Hopefully that will be sufficient data to do the pipeline capacity study to confirm that the downstream facilities have adequate size to accommodate the Colonial Park project.
2. Mr. Smith, of Absolute Real Estate Appraisals, has met with the Dellers & Attorney Bupp and is working on the final appraisal report. Tom Meager, of Absolute Real Estate Appraisals, contacted C.S. Davidson to compute easement acreages, which they did. The final report should be finished by the end of May.
3. Two binders containing the Colonial Park Planning Modules were provided to the Borough after the last meeting. They contain detailed information concerning the Colonial Park project. Also in there is a 10 year schedule, of which we are in the 2nd year. There is a break in the schedule which was filled in with the resolution of the boundary line. That point will not be argued. It will revert back to what the homeowner's deed says.
4. A public meeting will be scheduled for July 22nd at 7:00 pm (second Council meeting in July).
5. Information was provided to York Township Water & Sewer Authority that the Borough has selected Option 2D. Gary Milbrand reviewed the option and raised some questions as to whether there will or will not be service immediately available to some abutting homes in York Township. Mr. Milbrand was not able to attend tonight's meeting, but would like to meet with the Borough staff and C.S. Davidson prior to their next meeting next Tuesday.
6. Pump Station Sizing – Information was received from York Township concerning their long term needs. There are approximately 200 homes in existing developments and the Deller Farm which were included in the calculations. A 4" force main will accommodate our needs and their needs. However, the pump station will not accommodate the 51 possible future homes in York Township. The extra homes would require larger force main & larger pumps.

Corrective Action Plan:

Mr. Resh had a conversation with Sunil Desai at DEP concerning the Chapter 94 Report and Corrective Action Plan which was submitted to them. He requested that the Chapter 94 Report be amended to include the pump station re-rating from this past January. He also stated that the next Corrective Action Plan should include a schedule of sewer repairs and evaluate the downstream flows. If the repairs that are done this year do not solve the overflow problem, then DEP will require either pump station improvements or replacement in 2014. The next status report is due July 15th.

Sewer Rehabilitation Program:

Moving along on the plans for the 2013-2014 project. Preliminary specifications were given to the Borough staff for their review along with the preliminary plans for the relining projects. They are about to start the design of the project on S. Duke St where the Borough is going to be doing the excavation. A plan/profile is needed plus an easement from the homeowners association that operates the storm water basin at Green Meadows Dr.

Colonial Park Financing:

Mr. Resh handed out a page from the planning modules to Council members which contained the Project Cost & Funding Analysis. The project cost is just under \$3.5 million. The Borough would provide a little over \$1 million in existing sewer reserve funds, plus tap-in fees of a little less than \$200,000, which would leave about \$2.3 million from another funding source. (See scenario attached.) Council asked Mr. Resh to check into other financing options and the cost savings with a pressure system as opposed to a gravity flow system prior to the public meeting.

SOLICITOR’S REPORT

- Attorney Jones introduced a new attorney from the firm of Stock & Leader, Peter Ruth. He is a York Suburban Grad, went to Lebanon Valley College & Widener Law School and is currently working in the real estate & municipal law sections of the firm.
- An invitation was conveyed to Council to attend a Revolution Game in the Stock & Leader skybox on July 25th.
- Attorney Jones received a Quit Claim Deed from the law firm Eveler & Eveler for the property at 171 Devers Street belonging to the Estate of Cora A. Smith. A survey was done by C.S. Davidson. There is an unopened alley off of Market Avenue that runs the length of the school district’s parking lot that has never been opened as far back as 1957 or even longer. The Borough would not be able to open it unless 50% of the people along there approve it. The Quit Claim Deed would say that the Borough is not going to open it and clear up any title questions. The homeowners maintain the area.

Motion: Mr. Bogart moved and was seconded by Mr. Metz to approve the resolution authorizing Mr. Smith and the Borough Secretary to sign the Quit Claim Deed.

Motion carried 7-0.

- Attorney Jones also handed out some information to Council concerning the changing of boundary lines for their information and review that could help with the Colonial Park area and sewer issues with York Township.

ENGINEER’S REPORT

- The Equipment & Material bids were in and ready to be awarded. The low bids were as follows:
 - A. Crushed Aggregate – Kinsley Construction, Inc.

FOB Plant - \$13,087.50 (13% increase)	Delivered - \$18,837.50 (3% increase)
--	---------------------------------------
 - B. Bituminous Material – 9.5 mm - Highway Materials, Inc.

FOB Plant - \$58.00 (3% increase)	Delivered - \$63.50 (3% increase)
-----------------------------------	-----------------------------------

Bituminous Material – 25 mm – Highway Materials, Inc.

FOB Plant - \$50.50 (10% increase)	Delivered - \$56.00 (10% increase)
------------------------------------	------------------------------------
 - C. Other Items
 - Equipment Rental – Fitz & Smith - \$31,920.00 (19% increase)
 - Snow Removal – No Bid
 - Milling Materials/Equipment – Kinsley Construction, Inc. - \$10,950.00 (25% decrease)

Motion: Mr. Markel moved and was seconded by Mr. Kohler to approve awarding the Equipment & Materials bids to the lowest bidders as indicated by the Engineer.

Motion carried 6-0 with 1 abstention (Mr. Bogart)

Yoe already approved the bids.

- E. Howard Street Project Update – CDBG awarded the Borough \$100,000 for the curb & sidewalk and the Water Authority \$89,000 for the water portion, however the grant monies for water have not been received yet. Bids were opened for the Project on May 9th. Barnes & Barnes was the low bidder for the curb & sidewalk at \$75,438.10 and Kinsley Construction, Inc. was the low bidder for the water portion at \$108,001.00. The Water Authority is not able to award their bid until the grant monies are received.

Motion: Mr. Kohler moved and was seconded by Mr. Metz to approve awarding the bid for curb & sidewalk on the E. Howard Street Project to the lowest bidder, Barnes & Barnes, in the amount of \$75,438.10, contingent upon receipt of the monies from CDBG for the water portion of the project.

Motion carried 6-0 with 1 abstention (Mr. Bogart)

The Borough is able to transfer any remaining money from their portion of the project to the Water Authority's portion of the project.

- The MS-4 Report is due by June 7th. A draft of the report was given to Ms. Stokes & Mr. Taggart for their review and any changes.
- An invitation was extended to all Council members and also the Dallastown-Yoe Water Authority to join C.S. Davidson in their skybox at Sovereign Bank Stadium for a Revolution Game on Tuesday, June 18th at 6:30 pm.
- Sewer Maintenance Program – The conditional award was given to Mr. Rehab for the 2013 sewer maintenance program. Three documents needed to be furnished to C.S. Davidson by Mr. Rehab prior to them starting which they sent immediately. A Notice to Proceed was issued on April 22nd. The work is now completed and the Engineer is waiting for the video tapes. Mr. Resh is not aware that any of the laterals were constantly flowing. There are at least 2 manholes that require patching. The only Change Order (#1) received was a no cost change order. The color coded map that was given to Mr. Rehab was incorrect. There were areas marked to be done that belong to York Township and the Dallastown School District, which were deleted in Change Order #1. Mr. Malesker stated that the School District would like to piggyback and have theirs done anyway and pay the Borough.

Motion: Mr. Metz moved and was seconded by Ms. Smith to approve Change Order #1.

Motion carried 7-0.

- Houck Services did a good job with the manhole repairs. Photos of the manholes were distributed among the Council members.

BUSINESS FOR ACTION

- Update on the Front Office Security -
The engineer stated that there are no plans of the Borough Office, but the building is on a concrete slab, so the weight of the wall should not be an issue. The most logical reinforcement for the front wall is either ¼" or 3/16" steel, screwed into the wall studs. Council decided on the ¼". It will be put on the office side of the wall. Mr. Taggart got prices from Formit Steel and Kloeckner Metals, with the lowest being Formit at \$455.79. Maintenance will be able to do the installation.

Shawn Fife, who is doing the camera work, stated there has been a delay but it should be in any day. Mr. Fife is also doing the door buzzer.

The safe still needs to be purchased.

Motion: Mr. Metz moved and was seconded by Mr. Markel to approve the purchase of the steel wall reinforcement and the safety glass for the front office in the amount of \$6,025.79.

Motion carried 7-0,

Half of the cost of the wall & window will be paid by Dallastown-Yoe Water Authority.

BUSINESS FOR DISCUSSION/INFORMATION

- A few different options are being researched on credit card programs. There is a webinar being looked into through PA Rural Water. They would set up a website where Borough residents and Water Authority customers could go on to pay their bill. It is no cost to the Borough, but there would be a fee to the customer.
- There was vandalism to the rec trailer. Officer Clegg responded to the call and has all the information, but the Borough has not heard back from him yet. The cameras picked up some people in the area, but actual names were written on the trailer. Officer Clegg knows who they are. The estimate came in at \$2593.20 from Werner Bros and was turned over to insurance, but the responsible parties will still be pursued for restitution. The trailer will be repaired and back before Carnival.
- Mr. Smith stated that at the last York Area Regional Police Commissioners meeting, hour underages and overages were being discussed. Nothing has been decided at this time, but they cannot continue on this path.
- Mr. Metz stated that there is free electronics recycling at the Issac Walton League. It starts this Sunday, May 19th, thru next Saturday, May 25th.

REPORTS

- Police Reports/Annual Report
- Yoe Ambulance Report/Annual Report
- Red Lion Ambulance Report
- Hemler Animal Control

ADJOURNMENT

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

Motion carried 7-0. 8:50 pm

Respectfully Submitted,

Susan A. Wertz