

President Gerken convened the meeting of Hanover Borough Council on Wednesday Evening, October 29, 2014, 7:00 PM, in the Hanover Municipal Building, 44 Frederick Street, Hanover, Pennsylvania as advertised.

The meeting began with the Pledge of Allegiance to the Flag of the United States of America, followed by a moment of silence.

On roll call the following answered as present: Mr. Eline, Mr. Funke, Mr. Gerken, Mrs. Griffin, Mr. Marcoccio, Mr. McLin, Mr. Morris, Mr. Reichart, Mr. Roth and Mrs. Yingling; Mayor Adams; Solicitor Yingst; Manager Krebs and Secretary Miller.

It was moved by Mr. Funke, seconded by Mr. Eline to approve the minutes of Hanover Borough Council from September 24, 2014 as presented. Motion carried.

It was moved by Mr. Roth, seconded by Mr. Funke to approve the bills, the report of the Mayor and the report of the Fire Chief. Motion carried.

It was moved by Mr. Morris, seconded by Mr. Roth to approve the reports of the following Borough Administrators:

- a.) Borough Manager
- b.) Supervisor of Public Works
- c.) Superintendent of Wastewater Treatment
- d.) Supervisor of Water Treatment Plant
- e.) Supervisor of Water Distribution
- f.) Supervisor of Water Meter Department
- g.) Engineering Department
- h. Library Co-Director

Motion carried.

President Gerken noted meetings were held regarding the Fire Contract Negotiations on September 29<sup>th</sup> at 1:00 PM, October 20<sup>th</sup> at 1:00 PM and October 29<sup>th</sup> at 1:00 PM.

### **CITIZENS WITH ITEMS OF BUSINESS TO BE BROUGHT BEFORE COUNCIL**

President Gerken asked if there were any citizens present who wished to comment on any issues except the Game Commission issue. There were none.

Letters were sent to property owners adjacent the watershed area to invite them to comment at tonight's meeting on the proposed agreement with the Pennsylvania State Game Commission to allow hunting in the watershed area, maintenance & wildlife management.

President Gerken welcomed Game Commission Officer Steven Knickel to this evening's meeting.

Game Commission Officer Steve Knickel summarized the history of the watershed area noting that it has been closed to most activities except fishing and has not been open for hunting since the early 1960's. There is frequent wildlife poaching in the area which cannot be adequately patrolled by the local police. Adjacent farmers have experienced increased crop damage from deer since they have become overpopulated. The 400 Project would open the area to hunting along with wildlife management and maintenance of the watershed area, such as garbage removal, parking lot maintenance, signage, mowing and possibly tree harvesting. Officer Knickel noted most legal hunters are conscientious about reporting any violations to the Game Commission, thereby helping with enforcement issues. The Game Commission has observed many tree stands both on adjacent properties and in the watershed area itself, which are illegal. There is no cost to the taxpayers to fund the Game Commission and the proposed 400 project - all costs are derived from hunting licenses and the firearms tax. The following citizens addressed Officer Knickel:

- Helga, Anderson, 1245 Impounding Dam Road: How will people hunting know they are too close to adjacent residential property?

*Officer Knickel responded that safety zone signs would be posted at 150 yards to adjacent properties. Rifles are limited to 150 yards; archery is at 50 yards distance.*

## CITIZENS WITH ITEMS OF BUSINESS TO BE BROUGHT BEFORE COUNCIL

- Richard Deford, 38 Bair Circle: Would a lottery for hunting be a consideration to reduce the number of hunters?

*Officer Knickel responded that the current Pennsylvania Game Law cannot support this effort because there is nothing in the law that requires a permit for hunting and the enforcement of such a process would fall on local police.*

- Dennis Kavenaugh, 50 Bair Circle: Will there be increased enforcement than in the past, and would this mean that the West Manheim Police Department is no longer involved?

*Officer Knickel replied that West Manheim Township Police would enforce in addition to the Game Commission. Officer Knickel promised to be there during rifle season the first year.*

- Councilman Sonny Eline: Did Officer Knickel speak with the West Manheim Police Department and what is their feeling?

*Officer Knickel spoke with Chief Hippensteel. Chief Hippensteel is glad for the extra eyes and that the Game Commission supports wildlife management and hunting regulation. Criminal activity other than violations of the Game Commission would generally be handled through the West Manheim Township Police Department.*

- Jay Little, 1340 Bankard Road: Mr. Little has trouble with vehicles parking on the right-of-way to his two (2) residences right now. Would the Game Commission help to regulate this?

*Officer Knickel stated that the Game Commission will provide signage for use by adjacent property owners such as "closed to motorized vehicles" and "safety zone" signs posted at 150 yards. Hikers would be permitted for foot travel only; no horses or mountain bikes unless approved by the Borough.*

Is there a 24 hour call line to report incidents?

*Officer Knickel reported there is a 24 hour call/dispatch center.*

Mr. Little commented that it took the Game Commission officers three (3) hours to respond to an injured deer.

*Officer Knickel responded that all calls are handled according to priority.*

Mr. Little asked about drug activity in the area.

*Officer Knickel responded that he has encountered drug activity many times in varying intensity in the watershed area. It is a remote area, and a place to hide for drug users. The Game Commission proposal would mean more eyes to help regulate and enforce.*

- Larry Brumgard, 1224 Grand Valley Road: Would trespassing violations on right-of-ways be handled by the Game Commission or the West Manheim Township Police Department?

*Officer Knickel responded depending on who owns the right-of-way. Designated parking areas would be marked and more could be established with proper signage.*

Will the Game Commission post the safety zone?

*Yes. Additional signage is available to property owners.*

Mr. Brumgard commented he is surprised the Game Commission wants to be involved with more responsibility.

*Officer Knickel responded the Game Commission is interested in land management for hunting, wildlife refuge management, etc.*

- Dave Calhoun, 62 St. Bartholomew Road: Mr. Calhoun stated he is against the Game Commission offer to manage this property and allow hunting. Will archery be initiated first and then open to rifle hunting? Impounding Dam Road is close to safety zones. How will it save money to the Borough?

## CITIZENS WITH ITEMS OF BUSINESS TO BE BROUGHT BEFORE COUNCIL

*Manager Krebs replied we have to see what would be placed in the contract but there is a possibility that the amount of supervisors employed by the Borough to oversee the area could potentially be reduced. Forestry management and tree harvesting would no longer be a cost factor. It would most likely not be possible to initiate the program yet for this year.*

Mr. Calhoun is concerned with shooting across the roadway.

*Officer Knickel noted this is illegal, and most hunters are prone to follow hunting regulations. There were no deaths related to hunting accidents last year.*

Mr. Calhoun is concerned with confrontational issues with trespassers onto his property.

*Officer Knickel stated there are always one percent (1%) who do not obey the regulations, and if the property is posted, they already know they are breaking the law.*

Mr. Calhoun wondered why a permitting system is allowed in Maryland and we cannot establish the same program.

*Officer Knickel explained Maryland and Pennsylvania have different laws, and the permit system cannot be established under the Pennsylvania Game Commission laws. The Borough would have to pay for enforcement of same. Officer Knickel questioned how many tree stands Mr. Calhoun had on his property line.*

Mr. Calhoun admitted to having tree stands on the edge of his property facing the watershed area.

- Councilman Raye Morris: Emphasized to citizens present that Council has not made a decision yet, and the purpose of this evening's meeting is to hear commentary. The Borough is looking at the proposal because it would save money with property maintenance and land management.
- Tom Lambert, 2867 Baltimore Pike: Who is liable if a shot is fired through someone's house?

*Officer Knickel stated the homeowner is responsible if the perpetrator is not caught. This would fall under homeowners insurance.*

- Andy Hoffman, 2575 Baltimore Pike: Will there be high-powered rifles on the watershed area 365 days a year? There are 1500 acres without safety zones. He compared the area with Codorus State Park.

*Officer Knickel noted Codorus State Park is not a 400 Project where hunting is permitted.*

Mr. Hoffman asked what the deer count is in the watershed area.

*Officer Knickel has specific counts only in relation to County deer populations, but his experience and familiarity with the watershed area is that the deer are overpopulated and the hunting and wildlife management would only serve to improve the watershed area.*

Mr. Hoffman asked if there is a no-smoking policy?

*Officer Knickel stated there is not a non-smoking policy, and it would be basically unenforceable. However under the 400 Project there is a stipulation for no littering by leaving cigarette butts behind, which carries a large fine.*

Mr. Hoffman asked if there will be public access properties designated?

*Officer Knickel noted while there are parking lots currently available, additional parking can be added.*

Mr. Hoffman stated he expects trespassing to become a huge problem, even though the Game Commission will assist along with the West Manheim Township Police Department. He is not in favor of high-powered rifles in the area.

- Cheryl Kavenaugh, 50 Bair Circle: Ms. Kavenaugh is concerned about hunters coming too close to her property.

## CITIZENS WITH ITEMS OF BUSINESS TO BE BROUGHT BEFORE COUNCIL

- Edwin Lockard, 232 St. Bartholomew Road: Mr. Lockard referenced the map regarding safety zones. He is in favor of expanding the safety zones; he feels they are too near his property.
- Councilman Raye Morris: Mr. Morris asked if the public areas could be tailored for certain areas, and safety zones increased.

*Officer Knickel responded this is something that could be tailored in the contract.*

Mr. Morris asked how much flexibility is there to the specific areas that can be designated public in regard to increasing safety zones?

*Officer Knickel was unsure of the answer to this question, he will need to check with the Harrisburg Realty Department of the Game Commission.*

- Mike Hoffman, 2571 Baltimore Pike: Mr. Hoffman inquired about the tree harvesting from the Game Commission.

*Officer Knickel responded that the Game Commission can do tree harvesting, but is focused on the wildlife aspect of tree harvesting.*

Mr. Hoffman asked what the Game Commission's biggest objective or purpose is?

*Officer Knickel responded that the mission of the Game Commission is to maintain wildlife and their habitats for future generations.*

Mr. Hoffman felt there should be more focus on safety. Mr. Hoffman asked how many roads are within the watershed area?

*Officer Knickel replied there are less roads in the Borough's watershed than in the 400 Project in York New Salem, but he does not have an exact figure of how many roads are contained in our watershed area with him this evening.*

Mr. Hoffman asked how many other public hunting areas does Officer Knickel patrol?

*Officer Knickel patrols eleven (11) areas right now, however nine (9) are smaller private co-op properties and not as high priority as a 400 project.*

- Council President Gerken: Mr. Gerken asked how many property owners have deer stands that face the watershed?

*Officer Knickel responded there are five (5) properties that have deer stands on private property facing the watershed area, and there are many more within the watershed; all of them are illegal.*

- Brian Staub, 285 St. Bartholomew Road: Mr. Staub noted that West Manheim Township has opened park lands adjacent to his property and he has trespassing problems as a result of it. He asked that the public area be more confined.

President Gerken announced the public comment session was now closed.

On behalf of Hanover Borough Council, President Gerken thanked Mr. Knickel for his informed feedback and answers to questions and comments.

8:48 PM: The meeting recessed for a short break.

8:55 PM: The meeting reconvened. Mr. McLin exited the meeting.

## REPORTS OF THE STANDING COMMITTEES

### Finance & Personnel Committee – Mr. Roth

It was moved by Mr. Roth, seconded by Mrs. Yingling to ratify the action of the Borough Officers in making the following investments with Members First Federal Credit Union for a period of 31 days, September 30, 2014 to October 31, 2014 at an interest rate of .20%:

## REPORTS OF THE STANDING COMMITTEES

### Finance & Personnel Committee – Mr. Roth

<u>Funds</u>	<u>Investments</u>
General Fund	\$2,298,619.08
Bicentennial Fund	\$1,380.92
Sewer Fund	\$500,000.00
Guthrie Memorial Library Fund	\$0.00
Regional Wastewater Treatment Fund	\$347,500.00
Market House Fund	\$7,400.00
Liquid Fuels Fund	\$45,200.00
Equipment Fund	\$32,400.00
Local Services Tax Fund	\$241,600.00
Business Privilege Tax Fund	\$25,900.00
Brier Memorial Fund (Library)	\$11,490.00
Leisure Services Fund	\$43,800.00
Old Hanover Videos Fund (Library)	\$970.00
Sewer Projects Fund	\$0.00
Library Projects Fund	\$95,100.00
Hanover Recreation Endowment Fund	\$296,500.00
Water Revenue Fund	\$1,000,000.00
Water Projects Fund	\$186,500.00
Market House Reserve Fund	\$5,659.38
Hanover Recreation Reserve Fund	\$12,681.17
Library Endowment Fund	\$698,376.06
2010 Water Bonds	\$125,000.00
2013 Water Bonds	\$6,650,000.00
2013 Sewer Bonds	\$200,000.00
2013 General Bonds	\$170,000.00
Total	<u>\$12,996,076.61</u>

Motion carried.

Mr. Roth explained that the following motion is to approve advertisement of the proposed ordinance only, noting the rate of tax increase cannot exceed 2 ½%. The Finance Committee and staff will continue to work to maintain the lowest tax rate possible. The advertisement is needed to meet deadlines for state tax regulations. It was moved by Mr. Roth, seconded by Mr. Funke to authorize the advertisement of an Ordinance for a two and one half (2 ½%) Hanover Borough Real Estate Tax increase for the year 2015. On roll call, the following voted in favor of the motion: Mr. Eline,

## REPORTS OF THE STANDING COMMITTEES

### Finance & Personnel Committee – Mr. Roth

Mr. Funke, Mr. Gerken, Mrs. Griffin, Mr. Marcoccio, Mr. Morris, Mr. Reichart, Mr. Roth and Mrs. Yingling. The motion passed nine (9) in favor of and zero (0) against. Motion carried.

It was moved by Mr. Roth, seconded by Mr. Funke to accept the following budgets as presented at the October 23, 2014 Finance & Personnel Committee meeting to be placed on public display in December 2014 as required for a period of ten (10) days:

- a.) Equipment Fund
- b.) Market House Fund
- c.) Guthrie Memorial Library Fund
- d.) Local Services Tax Fund
- e.) Business Privilege Tax Fund
- f.) Sewer Fund
- g.) Hanover Leisure Services Fund

Motion carried.

It was moved by Mr. Roth, seconded by Mr. Eline to authorize proper officers of The Borough of Hanover to enter into an Agreement with the SPCA of York County for 2015 for the annual amount of \$7,645.00. Motion carried.

It was moved by Mr. Roth, seconded by Mrs. Yingling to authorize the proper officers of The Borough of Hanover to enter into a contract for Health – Medical Insurance Coverage for 2015 with Capital Blue Cross. Motion carried.

It was moved by Mr. Roth, seconded by Mrs. Yingling to authorize the proper officers of The Borough of Hanover to enter into a contract for Property and Casualty Insurance for 2015 with Selective Insurance. Motion carried.

It was moved by Mr. Roth, seconded by Mr. Funke to authorize 2014 Real Estate Tax Collector Leroy Wentz, 217 Frederick Street, Hanover, PA to credit the following amounts of miscellaneous corrections per the York County Tax Assessment Office report dated as follows:

<u>Date</u>	<u>Credit</u>	<u>Tax Year</u>
10/7/2014	\$22.06	2014

Motion carried.

It was moved by Mr. Roth, seconded by Mr. Funke to authorize 2014 Real Estate Tax Collector Leroy Wentz, 217 Frederick Street, Hanover, PA with the collection of additional Real Estate tax per the York County Tax Assessment Office report dated as follows:

<u>Date</u>	<u>Credit</u>	<u>Tax Year</u>
10/7/2014	\$1,186.35	2014

Motion carried.

It was moved by Mr. Roth, seconded by Mr. Funke to approve a write-off of the following check and filing with the District Attorney's Office for collection due to insufficient funds:

<u>Name</u>	<u>Check No.</u>	<u>Amount</u>
Allen & Amy Tanner 110 Fox Run Road Hanover, PA	Check #1409	\$ 14.00

Motion carried.

## REPORTS OF THE STANDING COMMITTEES

### Finance & Personnel Committee – Mr. Roth

It was moved by Mr. Roth, seconded by Mrs. Yingling to ratify the actions of the proper Borough officers in approving Resolution No. 1082 entitled “**A RESOLUTION OF THE BOROUGH OF HANOVER, YORK COUNTY, PENNSYLVANIA AUTHORIZING PARTICIPATION IN THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT SHARED MUNICIPAL SERVICES PROGRAM FOR MULTI-MUNICIPAL JOINT FIRE CHIEF SERVICES WITH THE TOWNSHIP OF PENN.**” Motion carried.

It was moved by Mr. Roth, seconded by Mrs. Yingling to allow the YWCA of Hanover to terminate their lease and to discontinue their payment of the utilities for the property at 111 Frederick Street, Hanover, PA effective September 30, 2014 as per their letter of September 15, 2014. Mr. Eline asked if the building and property have been inspected since they vacated, and Manager Krebs answered affirmatively. Motion carried.

It was moved by Mr. Roth, seconded by Mr. Eline to authorize the purchase and installation of audio visual upgrades for the Bare Center at the Guthrie Memorial Library in the amount of \$19,700.16 with Sage Technology Solutions, Mount Joy, PA. *(Funding is from donations already received and designated for improvements of the Bare Center.)* Motion carried.

It was moved by Mr. Roth, seconded by Mr. Funke to authorize the proper officers of The Borough of Hanover to enter into an amended agreement with York County Solid Waste & Refuse Authority for Waste Management Services. Motion carried.

### Planning & Traffic Committee – Mr. Morris

It was moved by Mr. Morris, seconded by Mr. Roth to reapprove the revised Final Lot Consolidation Plan for Hanover Ridge Avenue Corporation, for the properties at 222 to 228 High Street, originally approved by Hanover Borough Council April 11, 2012, bearing file number 082350, dated February 24, 2011, last revised April 10, 2012, sealed by Douglas L. Stambaugh, PLS, Group Hanover, Inc., 213 Carlisle Street, Hanover, PA, to allow recording said plan at the York County Courthouse. Mr. Funke recused himself from voting on the motion. Motion carried.

It was moved by Mr. Morris, seconded by Mr. Roth to approve the extension of the time period for execution of the following Community Development Block Grant Contracts until June 30, 2015:

- a. #45511990/#45561902 for the Hanover Commons Storm Sewer Project
- b. #45571986/#45582013 for the Jackson Street, Juniper Lane & Commerce Street Storm Sewer Project
- c. #45351889 for the Hanover Borough – Penn Township Joint Comprehensive Plan

Motion carried.

It was moved by Mr. Morris, seconded by Mr. Roth to approve the Final Subdivision Plan for the Helen Bitner Estate, 635 – 637 Broadway, bearing project number 142040, dated June 30, 2014, last revised October 1, 2014, sealed by Edward L. Mort, PLS, GHI Engineers, 213 Carlisle Street, Hanover, PA. Mr. Funke recused himself from voting on the motion. Motion carried.

### Public Service Committee – Mr. Eline

It was moved by Mr. Eline, seconded by Mr. Funke to approve the request of The Hanover Area Chamber of Commerce for the following upcoming holiday activities as per their letter of October 6, 2014, provided all necessary permits are acquired:

- a.) Santa Parade – Friday, November 28, 2014 at 9:00 AM
- b.) Tree Placement on northwest quadrant of Center Square on the week of November 10, 2014
- c.) Tree Lighting Ceremony– Friday, November 28, 2014 at 7:00 PM
- d.) Hanging of the Greens/Decorations on Center Square
- e.) Santa Cabin Hours
- f.) Free Holiday Parking – Fridays from November 28<sup>th</sup> - December 26<sup>th</sup> 5:00 PM – 9:00 PM

Motion carried.

## REPORTS OF THE STANDING COMMITTEES

### Public Service Committee – Mr. Eline

It was moved by Mr. Eline, seconded by Mrs. Yingling to approve the request of the Kiwanis Club to rent a market stall to sell pecans at the Hanover Market House on Saturdays from November 1<sup>st</sup> through January 3, 2015 as per their letter of October 2, 2014. Motion carried.

### Water & Sewer Committee – Mr. Reichart

It was moved by Mr. Reichart, seconded by Mr. Roth to authorize staff and Solicitor to work with the Pennsylvania Game Commission to develop an agreement to allow hunting in certain portions of the Borough watershed properties. On roll call, the following voted in favor of the motion: Mr. Funke, Mr. Gerken, Mr. Marcoccio, Mr. McLin, Mr. Morris, Mr. Reichart, Mr. Roth and Mrs. Yingling. Voting in opposition to the motion were Council Members Eline and Griffin. The motion passed with seven (7) in favor of and two (2) against the motion. Motion carried.

It was moved by Mr. Reichart, seconded by Mr. Funke to allow Independent Filmmaker Josh Whittaker to film one or more night time scenes inside the present gate between the creek and the road, with the use of an electrical hookup. Motion carried.

It was moved by Mr. Reichart, seconded by Mr. Funke to enter into an agreement for the Altoona Water Authority to purchase nutrient credits from the Borough of Hanover as certified by the Department of Environmental Protection at \$1.25 per credit for a total purchase price of \$667.50. Motion carried.

It was moved by Mr. Reichart, seconded by Mrs. Yingling to approve the Acceptance and Authorization to Proceed for Biosolids Beneficial Use Management Program Services with Material Matters, Inc., Elizabethtown, PA, providing approximately \$40,000 savings per year for a five (5) year contract. Motion carried.

## MAYOR'S REPORT

Mr. Duane "Andy" Hansford was unable to attend this evening's meeting to accept his certificate of appreciation for his position on the Hanover Borough Planning Commission for 16 plus years, due to illness. Council recognized Mr. Hansford in his absence for his service on the Planning Commission.

Trick or treat was held Tuesday evening, October 28<sup>th</sup> from 6:00 to 8:00 PM. Mayor Adams reminded everyone present of Hanover's Halloween Parade scheduled tomorrow evening, October 30<sup>th</sup> at 7:30 PM.

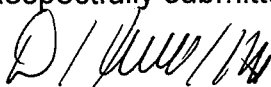
## OTHER MATTERS:

### Communications:

On behalf of Hanover Borough Council, President Gerken thanked staff for their dedication and long hours.

**ADJOURNMENT:** It was moved by Mr. Funke, seconded by Mr. Reichart to adjourn at 9:14 PM to a closed caucus session to discuss personnel and contract issues. Motion carried.

Respectfully submitted,

  
Dorothy C. Miller  
Borough Secretary