

**MINUTES**

District Justice Gerald Shoemaker administered the oath of office to newly elected officials prior to the meeting opening. Those taking the oath of office included: Mayor Richard Pope; council members Romaine Bishop, Robert Dentler, Lori Koch and Joseph Sabold; auditors Beverly Fauth and Deborah Snelbaker; and tax collector Sam Herman.

The re-organizational meeting of Dover Borough Council was held at Borough Hall, 46 Butter Road on Monday, January 4, 2010 at 7:00 pm. Council members Romaine Bishop, Robert Dentler, Jan Eisenhart, Jonathan Hess, Lori Koch, Joseph Sabold and Todd Seidel were present. Mayor Pope called the meeting to order. A moment of silent prayer followed.

Mayor Pope called for nominations for Council President. Mr. Eisenhart nominated Mr. Sabold and Mr. Dentler seconded his motion. Mr. Seidel nominated Lori Koch, with a second by Mr. Sabold. There were no additional nominations. Mr. Seidel made a motion to close the nominations. Mr. Eisenhart seconded the motion. A written ballot was used with a result of 4 votes for Mr. Sabold and 3 votes for Mrs. Koch. Joseph Sabold was elected as Council President.

Mayor Pope called for nominations for Council Vice-President. Mr. Seidel nominated Lori Koch. Mr. Sabold seconded the motion. Mr. Dentler was nominated by Mr. Eisenhart, with a second by Ms. Bishop. There were no additional nominations. Mr. Seidel offered a motion to close the nominations, and Mr. Sabold seconded his motion. A written ballot was used with a result of 4 votes for Mrs. Koch and 3 votes for Mr. Dentler. Lori Koch was elected as Council Vice-President.

Mayor Pope yielded the floor to President Sabold.

Mr. Sabold asked for nominations to appoint the solicitor for Dover Borough. Mr. Eisenhart made a motion to reappoint John Herrold as solicitor for Dover Borough. Mr. Seidel made a second to the motion. There were no other nominations. All were in favor.

Mr. Sabold requested nominations for the borough engineer. Mr. Eisenhart made a motion to reappoint James R. Holley and Associates as Borough Engineer. Ms. Bishop seconded the motion. There were no other nominations. The motion carried.

Mr. Sabold called for nominations to appoint the secretary/treasurer. Mr. Eisenhart made a motion to reappoint Janet Shirey. Mr. Dentler seconded the motion. There were no other nominations. All were in favor.

The December minutes were reviewed. Mr. Sabold noted a wording correction on page 2, paragraph 2, and line 5. The word 'consider' should be added between would and it. Mr. Sabold called attention to page 5, and the second item under New Business. He thought the discussion included the Council President making telephone calls to the other council members to get input on personnel issues, which might come up between meetings. Mrs. Shirey reported this was discussed, but on the tape it was agreed the Employee Manual should be followed as closely as possible. The Council President could make decisions using their judgment. No change would be made in the minutes. Mr. Eisenhart pointed out the last paragraph on page 2. He asked for clarification of who the 'she' was being discussed in the last sentence. It was noted this carried over to the next page to complete the discussion with Mrs. Bosley. No change would be made. Mr. Eisenhart referred to page 1 and the fifth paragraph. He believed a specific figure was discussed. Mrs. Shirey reported a dollar amount was not used as part of the clarification requested in the Budget Meeting minutes from 11/16/2009. No change would be made. Mr. Eisenhart made a motion to approve the minutes as corrected. Mrs. Koch seconded the motion and all were in favor.

## **PUBLIC COMMENT**

Chief Flohr reported the fire company responded to 28 calls in December. Of those calls only four were in the Borough. They responded to a total of 328 calls in 2009, with a total fire loss of \$2,500, from a kitchen fire. He compiled some other statistics. The busiest month was April with 33 calls. The most calls per day were Thursdays. The least busy day was Tuesday. Calls by municipality: Dover Borough – 58; Dover Township – 124; Strinestown – 64; Wellsville – 25; East Berlin – 14; West Manchester – 9. They assisted 18 fire companies in all. They gained five new active firefighters. Each firefighter averaged 100 calls for the year. Firefighters averaged 200 hours training in 2009. One member has completed over 600 hours! Reviewing the history of the number of calls for the past 50 years showed: 1960 – 19 calls; 1970 – 63 calls; 1980 – 108 calls; 1990 – 184 calls; 2000 – 276 calls. He noted 1960 was the first year there was a complete history for the year. Mayor Pope will be performing the oath of office for fire company members on Thursday evening. Mr. Sabold thanked the fire company for Santa and the firefighters who donated their time to travel through the Borough on Christmas morning. He reported people look forward to this every year. Mr. Dettinger noted the people who volunteer their time really enjoy it. It takes them about three hours to traverse the Borough.

Mr. Sabold raised the issue of waiving the water and sewer fees for the fire company for 2010. The issue was discussed briefly. Mr. Seidel noted the fees are waived because the fire company provides a vital service for the Borough. Since most of their money is obtained through fundraisers the Borough Council feels waiving the charges allows the fire company more money to use to purchase equipment and for operating expenses. Mr. Seidel made a motion to waive the water and sewer fees for the Dover Fire Company for 2010. Mr. Eisenhart seconded the motion. All were in favor.

Mr. Sabold reported the fire company activities calendar needs to be approved for the workers compensation insurance to cover injuries. Mr. Herrold recommended the calendar should be approved each month. Mr. Sabold asked if the calendar could be submitted prior to the meeting so it can be included in the preliminary council packs. Mr. Dettinger agreed to provide the calendar the week before the meeting. Mr. Seidel made a motion to authorize the activities on the fire company calendar for January 2010. Ms. Bishop seconded the motion and it carried.

## **SEWER**

*Manager's Report* – Mr. Lentz reported the school district televised the lateral at Dover Intermediate School, beginning at manhole 90B. The camera was completely under water part of the time. They were able to go 85 to 90 feet up the lateral and numerous cracks and breaks were seen. He is to receive a CD copy of the televising. Mr. Seidel asked how much of the lateral is the school's responsibility? Mr. Herrold stated the lateral is typically the property owner's responsibility. Mr. Clark reported this situation is unusual because the school is in Dover Township, but it is a Borough sewer customer, and the line runs under Dover Township's street. Who is actually responsible and for what portion of the line before the school lateral still needs further clarification. Mr. Clark followed up on the letter he sent to the superintendent. Dr. Krantz referred him to Dave Nelson, DASD Director of Building and Grounds. Mr. Clark reported Mr. Nelson was rather short with him and claimed Mr. Lentz told him things, which Mr. Clark knows were incorrect. When discussing it with Mr. Lentz, Mr. Lentz stated he had not discussed the alleged items with Mr. Nelson. Mr. Lentz reported Mr. Nelson's cooperative attitude seemed to change noticeably after Mr. Clark sent the letter to the school district. Mr. Lentz reported Duane Grim plans to take a correspondence course for credits needed to maintain his sewer license. The cost of the course is \$100. Mr. Lentz asked if the Borough would pay for the course. There was no objection.

### *Engineer's Report*

- Mr. Clark recommended additional televising of the Dover Area Intermediate School lateral should be done. Televising done by the school district was of poor quality due to the size of the camera and that it was under water. Better quality pictures would more clearly show the problems. Asking the school to do additional televising versus the Borough paying to have it done, so they would have control over the type of equipment used, was debated. It was decided the Borough should pay to have the additional televising done. It was noted the Dover Borough code allows right of entry for any work required to maintain the water and sewer system. Mr. Herrold did advise that the school district should be notified the Borough intends to televise the line again during wet weather. He recommended a telephone call to Dave Nelson, and a follow-up letter to Mr. Nelson, with a copy to Dr. Krantz. Mr. Seidel made a motion to televise the Dover Intermediate School lateral, during wet weather, including giving prior notice to the school district of the intention to perform the televising. Mr. Eisenhart provided a second to the motion and all were in favor.
- Mr. Clark reported Utilities Services Group would begin televising and air testing sewer mains in the next few weeks on Butter Road, Fairview and Gross Avenues and Doovertowne Apartments. This had been postponed until there was enough wet weather for it to be worthwhile. They will also be televising some laterals.
- Mr. Clark reported he and Mr. Holley met with representatives from the engineering firm representing the Dover Area School District on a project to make improvements to the football stadium at Dover Area High School. Mr. Holley recommended they relocate an old clay sewer line which is under the field, since they will be excavating the infield to install artificial turf.
- Mr. Sabold asked for a construction update for the wastewater plant. Mr. Clark reported the contractor could not work for two weeks due to wet conditions. The electrical contractor was able to do some work.

*Solicitor's Report* – Mr. Herrold reported the closing for the sewer loan was held on December 17, 2009 at Steve Hovis' office. He had nothing else to report.

*Old Business* – None.

*New Business* – None.

### **WATER**

*Manager's Report* – Mr. Lentz had nothing to add to his report.

*Engineer's Report* – Nothing to report.

*Solicitor's Report* – Nothing to report.

*Old Business* – Mr. Seidel asked if there was any progress on the 4-Log requirements. Mr. Lentz stated Chad Kehew, with Holley's office, is preparing a plan to submit to the PA DEP. The plan must be approved. Once approved, permits will be issued. The completion deadline is July 2011.

*New Business* – Nothing to report.

### **BOROUGH**

*Manager's Report* – Mr. Lentz reported the total cost to install the pedestrian crossing signs on North Main Street, at Butter Road, will be \$162.55 for two pedestrian signs, two arrow signs and

one post. One set of the signs can be put on an existing post. Mr. Seidel made a motion to install crosswalk signs on North Main Street, at the crosswalk area at Butter Road, at a cost of \$162.55. Mr. Eisenhart seconded the motion and it passed. Mrs. Koch asked who was paying the men who helped with snow plowing. Mr. Lentz reported they were hired by the Borough as part-time employees, as listed in his report. A snow storm occurred two days after his shoulder surgery and he was unable to help Duane plow snow. Mrs. Shirey checked with PIRMA and anyone operating Borough equipment, and working under the supervision of a Borough employee (unless volunteering) must be paid as an employee of the Borough. Mr. Lentz had also signed a contract with Craig Gross Excavating to provide snow plowing assistance and he is paid as a private contractor.

*Engineer's Report* – Nothing to report.

*Solicitor's Report* – Mr. Herrold reported he checked the PA Borough Code to see if Dover Area Ambulance Club qualified under any of the exemptions, so the land beside the fire company could be purchased without competitive bidding. They do not qualify because they are a not volunteer ambulance service. Mr. Hess reported he believes the issue will be dropped because the club is not in the financial position to bid competitively for the land.

Mr. Herrold stated the second issue was a report on the Paul Gross family regarding the Edgeway Road property. He had sent letters to the Borough Council regarding the negotiations, but had received any feedback. He did not want to discuss a matter regarding ongoing legal action at a public meeting. An executive session should be held to discuss it. The Borough Council decided to adjourn to executive session at this time. A motion to adjourn to executive session, to discuss a litigation issue, was offered at 8:12 pm by Mr. Seidel, with a second by Mr. Eisenhart. All were in favor. People in the audience exited the building.

The meeting reconvened at 8:28 pm. A motion to approve the action taken during the executive session was offered by Mr. Eisenhart, seconded by Mr. Seidel. The motion carried.

*Police Report* – Mayor Pope reported during the time period covering 11/18 to 12/15/09 there were 94 police calls in the Borough. This is up 38.24% over the same period in 2008. Calls for the year were up 0.74%. The police officers contract was reopened to allow a change in their pension contribution rate due to significant losses in the pension fund. The officers agreed to do this if the existing contract would be extended three additional years.

*Ambulance Club Report* – A report of calls for December 2009, total calls for 2009 and a report of calls for the transport van were reviewed.

*Recreation Board* – The results of the holiday house decorating contest were as follows: 1<sup>st</sup> Place - Bleich's at 41 Rachael Road; 2<sup>nd</sup> Place - Alexander's at 55 North Main Street; 3<sup>rd</sup> Place - Albin's at 122 Cranbrook Drive. Mr. Dentler stated he submitted a list of board members and meeting dates for 2010. Mrs. Koch reported the board had been meeting at the Dover Women of Today building. She stated since the Recreation Board is appointed by the Borough Council they should meet at Borough Hall, rather than a public building. Mr. Sabold and Mr. Seidel agreed. Mr. Sabold stated if they meet at the DWOT building, the Recreation Board should have a letter authorizing their use of it. Mr. Sabold noted two of the names on the list of board members had not been approved by the Council. Mr. Dentler was reminded names of people being nominated to the Recreation Board members must be submitted to the Council for approval. Mr. Dentler offered Shawn Querry and Hallie Elicker as nominees for the recreation board. Mr. Dentler did not know the length of the terms they were nominated to fill. Two members' terms also expired at the end of December. They would either need to be reappointed or replaced. The terms of the Recreation Board were staggered so the terms of no more than two people would expire any year. The list of meeting dates included a meeting in January. Because the term information would be needed before anyone could be

appointed or reappointed, Mr. Sabold informed Mr. Dentler the January meeting would need to be cancelled. Without these four people the Recreation Board would not have enough members for a quorum.

*Treasurer's Report* – Mr. Eisenhart asked if the 4<sup>th</sup> quarter payroll reimbursements had been done. Mrs. Shirey had not done it yet. There were no changes to the bill lists. Mr. Eisenhart made a motion to pay the bills, including the 4<sup>th</sup> quarter payroll reimbursements. Mr. Seidel seconded his motion and it passed with all in favor.

Mr. Eisenhart noted there is over \$250,000 currently in the General Fund checking account. Most of it from a certificate of deposit, which matured in August. He recommended the Council invest a large portion of this in a CD. A list of interest rates was reviewed. There was discussion about the length of time and amount to invest in a CD. Mr. Eisenhart made a motion to invest \$200,000 in a 10 month certificate of deposit at Peoples Bank, which would earn 1.39%. Mr. Seidel seconded his motion. Six were in favor, Mr. Sabold was opposed.

*Old Business* – Mrs. Koch stated she recalled a discussion where the Council decided to only use the Borough's sign at the square to advertise Borough events. She asked why non-profit groups were using the borough's sign to post event information at the square. It was noted that Borough staff has been doing the lettering for the sign for these groups. Mr. Lentz stated Calvary Lutheran had requested the use of it last year. Since it was not being used at the time, he allowed them to advertise their event on it. The Dover Women of Today has also used it. It was suggested the Borough could be open to a lawsuit if they denied use of the sign to any groups. After some discussion, the Council agreed since the sign was purchased with taxpayers' money that it should only be used to advertise activities sponsored by the Borough.

*New Business* – The schedule of fees for Dover Borough was reviewed and approved for 2010. Mr. Eisenhart made the motion to approve the schedule of fees for 2010. Mr. Dentler seconded the motion and all were in favor.

With no further business to discuss, a motion to adjourn was made by Mr. Eisenhart and seconded by Ms. Bishop. The motion passed and the meeting adjourned at 9:22 pm.

Respectfully submitted,

Janet T. Shirey  
Secretary/Treasurer