

MINUTES

The regular monthly meeting of Dover Borough Council was held at Borough Hall, 46 Butter Road on Monday, July 12, 2010 at 7:00 pm. Mr. Eisenhart was absent due to vacation, and Mr. Dentler and Mr. Lentz were absent due to illness. The remaining council members and mayor were in attendance. President Sabold called the meeting to order, followed by a moment of silent prayer.

The June minutes were reviewed. There were no changes. Mr. Seidel offered a motion to approve the June minutes, as presented. Ms. Bishop seconded the motion. Four were in favor. Mrs. Koch was opposed.

PUBLIC COMMENT

Rod Reed, owner of Affordable Auto Sales, was present in follow up to his request last month to for approval of a land development plan for 121 South Main Street. Dave Hoffman, spoke on behalf of Mr. Reed again. He reported they addressed the comments from the Borough Council from last month, as well as, Holley's office and comments from Dover Township and the Township's engineer, C. S. Davidson. He reviewed the comments in the letter from Mr. Holley's office in order. (A copy of the letter including these comments will be included with the permanent record of these minutes.) 1) The owner's signature will be added upon conditional approval of the plan. 2) The only utility serving the building will be electricity. 3) Mr. Herrold did not feel he had to review the plan, since he had provided the wording for the notes. 4) A surety to cover the cost of the public improvements will be provided. There were three comments regarding Stormwater Management. 1) Mr. Hoffman stated Mr. Reed was seeking a waiver of the requirement in Section 133-14.K. Mr. Clark clarified it was not really a waiver request. They wanted to clarify no fencing should be required because the stormwater pond is on private property, does not have public access and the side slopes for the pond are 4-to-1, which would allow walking up the slopes easily. Also, the drain pipe is only 6 ½" which would be too small for a child get inside. A filter grate is also affixed to the end of the pipe. 2) A note was added to the plan indicating the Borough would have the right of access "to inspect the implementation, condition, or operation and maintenance of the stormwater facilities." 3) Mr. Hoffman provided a copy of the letter from Terry Myers, Dover Township's engineer, stating he recommends approval of the plan. Mr. Hoffman informed the Council that Mr. Reed was able to get an easement from Mrs. Straley to cross her property to access the storm drain on Park Street, which was discussed last month. He did note the agreement has not been signed yet. Mr. Clark noted there appeared to be several errors in the wording in note # 9. He read the note aloud. In the second sentence, the word 'owner' is missing after the word 'common'. In the same sentence the word 'ownerships' should be 'ownership'. Mr. Clark reported Mr. Holley's office also recommends approval contingent upon action on their comments. Mrs. Bishop made a motion to approve the land development plan contingent upon the comments in the letter from Mr. Holley's office dated July 12 being addressed, the correction of note # 9 on the plan, and a signed easement agreement with Mrs. Straley. Mr. Seidel seconded the motion and all were in favor. Mr. Hoffman asked when Mr. Reed could proceed with construction. Mr. Herrold informed him the building permit could not be issued until the plan is complete, or the surety is provided. Mr. Reed could proceed with the public improvements immediately. Mr. Hoffman informed the Council he would be presenting the plan to the Dover Township supervisors in two weeks. Mr. Reed thanked the Council for their assistance.

Assistant Chief, Troy Dettinger, reported the fire company responded to 35 calls in June. None of those calls were in the Borough. He reported they are very happy with the response to their website. It is updated frequently. Mr. Sabold asked if there were any problems with fireworks

this year. There had been none. Mr. Dettinger reported they would be on standby for East Berlin Fire Company on Thursday evening, during a parade. The activity calendar for July was reviewed. Mr. Hess made a motion to approve the activities on the July fire company calendar, with the addition of standby assistance for East Berlin Fire Company on July 15. Ms. Bishop seconded the motion. All were in favor.

Jeff Shyk, with K & W Engineering, was present. They are the engineers for the Dover Elementary School renovation/addition project. The PA DEP requires a Resolution for Plan Revision for New Land Development. He was in attendance in case the Council had any questions about the resolution. Mr. Seidel made a motion to approve Resolution 2010-03 for Plan Revision or New Land Development of the Dover Elementary School for sewer connections. Mr. Hess seconded the motion and all were in favor.

SEWER

Manager's Report –There were no questions on the written report.

Engineer's Report – Mr. Clark presented Change Order # 5, which is for a valve for the hydro tank, in the chemical feed area. It was not included on the plan, but it is essential. The cost for the change order was \$1,050. Mr. Seidel made a motion to approve Change Order # 5, in the amount of \$1,050. Mr. Hess seconded the motion. Four were in favor. Mrs. Koch was opposed. Change Order # 6 is for a valve for the EQ tank, at a cost of \$1,025. There are two bypass tanks which will fill equally. This valve is not required, but will allow the second tank to be isolated from the first in case it needs maintenance, but there is flow in the first tank. This was installed in error by Conewago, so the cost of the change order is only for the valve, and no labor costs. Mr. Lentz was called and Mr. Sabold spoke with him to get additional information. Mr. Lentz was able to provide enough information to satisfy the Council's questions. Mr. Seidel offered a motion to approve Change Order # 6, at a cost of \$1,025. Mr. Hess seconded the motion. Four were in favor. Mrs. Koch was opposed. Mr. Sabold stated Mr. Lentz should be told to add the exercising of these valves to the preventive maintenance list. Mrs. Koch stated she requested a report of the televising of the line north of the Borough. Mr. Lentz had supplied copies of the actual televising, rather than a summary of the findings. Mr. Clark reported he did not have this information so he had not prepared a summary. He stated he would prepare a summary for the next meeting. Mrs. Koch asked Mr. Clark if he knew if Mr. Holley's office had submitted an application for the next round of H2O grants, which are to be awarded in November. Mr. Clark reported Mr. Wallace had updated the application. Mr. Seidel asked about the status of repairing the problems in the Dover Intermediate School lateral. Mr. Clark reported Mr. Eisenhart had asked if the project could be delayed until next spring. Mr. Seidel offered to contact Dr. Krantz to discuss the cost estimate for the project. The council had no objections.

Solicitor's Report – Mr. Herrold discussed the letter from Dover Township, in response to the Borough Council's May 10 letter, regarding repairing the sewer main north of the Borough. The letter stated the request had been reviewed with the Township Supervisors. They believe the sewer agreement put the responsibility for inflow and infiltration (I & I) work on the Borough. Mr. Herrold briefly reviewed the Sewer Capacity Agreement signed in 1994. Item # 3 mentions a project to reduce 30,000 to 50,000 gallons of inflow and infiltration. Item # 4 states the Borough is responsible for "all costs associated with the inflow and infiltration work (as provided in paragraph 3)". Mr. Sabold noted if the project mentioned in item # 3 was never done then the repairs would still be the Borough's responsibility. Mr. Clark noted the Borough had done significant I & I work since 1994. Mr. Herrold agreed and stated any work which meet or exceeded the estimate and reduced I & I could be counted toward the item mentioned in item # 3. This would then place the responsibility back on the Township, as referenced in item # 2. After some discussion, the Council decided some research should be done to provide

documentation that I & I work had been done. This could be used help to negate the Township's claim that the cost of I & I work falls on the Borough.

Old Business - None.

New Business - None.

WATER

Manager's Report - Mr. Lentz had included a copy of a water meter report from Elster with his report. In summary, it stated the problem with the meters is not unique to the Borough. Elster thinks the battery failures may be related to the Printed Circuit Assembly (PCA). They have changed to a new vendor for the PCA's to see if this corrects the problem. They have provided 50 replacement meters, which so far exceeds the number of meters which have been returned to them for testing. Several Council people expressed their frustration with the continuing problems with the meters. They asked Mr. Herrold if they should pursue legal action against Elster. Mr. Herrold asked about the number of failed meters. Mrs. Shirey reported the total number was less than 10%. Mr. Herrold stated it would be difficult to argue that this number of failures demonstrates a defective product. Mr. Herrold would not take any action at this time.

Engineer's Report - Mr. Clark reported the cost estimate to implement the 4-Log/Groundwater Rule is \$27,700. Only two of the three wells will need to have additional piping added. The third well can be made compliant by adding a yard hydrant. The deadline for implementation is 4/1/10. Mr. Seidel made a motion to bid the groundwater improvement project. Ms. Bishop seconded the motion and all were in favor. Mr. Clark stated since it is only three weeks until the August meeting that the bids would not be available to award until the September meeting. He hoped the project will bid under \$25,000, which will eliminate the need to pay prevailing wage.

Solicitor's Report - Mr. Herrold had nothing to report.

Old Business - None.

New Business - None.

BOROUGH

Manager's Report - There were no questions on the written report.

Engineer's Report - Mr. Clark presented the bid tabulation for Ketterman Park Phase II improvements. The base bid to install the basketball court and walking paths showed Fitz & Smith, Inc with the low bid of \$28,075.45. The bid to install the small parking lot, at the northeast corner beside the blacksmith shop, was Alternate Bid No. 1. The low bid was also from Fitz & Smith, Inc at a cost of \$5,922.90. Mr. Clark clarified the DCNR grant for this project included up to \$20,000 for materials, and a 50-50 matching fund grant for up to \$20,000 each from DCNR and the Borough. The total cost of the project, for labor and materials, will be \$57,429.30. Mr. Hess made a motion to accept the base bid and alternate bid # 1 for Ketterman Park Phase II improvements at a total cost of \$33,998.35. Mr. Seidel seconded the motion and all were in favor.

Solicitor's Report - Mr. Herrold requested approval for the checks for the condemnation proceeding. Snelbaker's is the only agreement which still needs to be signed. They have requested an additional agreement with the Borough. It will state they can drive their RV across the edge of the park land to be able to drive it off their property. The agreement will include that they are responsible for any damage. Mr. Herrold explained it is a license agreement, not an

ease. It will allow them to use the property as long as they own the property and motor home. Mr. Herrold requested approval for Mr. Sabold to sign a release of the condemnees and for issuance of the checks to the Gross heirs and the adjacent property owners. Mr. Seidel made a motion to this effect, with a second by Mr. Hess. The motion carried. Next, Mr. Herrold presented Ordinance 2010-01, increasing the tax certification from \$10 to \$15. Mr. Seidel made a motion to adopt Ordinance 2010-01. Ms. Bishop seconded the motion and the motion passed.

Police Report - The Mayor reported calls were down during the month of May, by 6.8%, compared to the same month last year. He reported there would be a vote at the July meeting to settle a 2006 lawsuit, with the Hopkins family. The insurance company has been negotiating with the family, and now recommends settling the claim.

Ambulance Club Report - Mr. Hess explained what has been transpiring regarding adding paramedics to the ambulance staff. There are still a number of things to be resolved, so the issue may be dropped for now.

Recreation Board Report - There was no report. No minutes were provided.

Treasurer's Report - It was noted an AT & T bill was listed twice in the Borough bills. Mrs. Shirey was not certain if this was a duplicate, since the amount of the bill is not usually exactly the same. She deducted the cost of one of the bills until she could verify the second one. Mr. Seidel made a motion to transfer \$500,600 to cover the cost of the sewer loan bills. Mr. Hess offered a second to the motion. Four were in favor. Mrs. Koch was opposed. Mr. Seidel offered a motion to pay the bills, as corrected. Mr. Hess seconded his motion. Four were in favor. Mrs. Koch was opposed. Mr. Seidel asked if any plans had been made for the CD which would mature in August. Mrs. Shirey stated since it would not mature until after the August meeting the money would be withdrawn and deposited in the checking account. CD rates would be provided for reinvesting the money at the September meeting.

Old Business

- Ms. Bishop asked about progress on setting up a Borough website. Mrs. Shirey explained there is a lot of work to be done before submitting anything to the PSAB website service. They provide none of the assistance the other website services offered to assist you determining how to set it up. Ms. Bishop noted the fire company is very happy with the service provided by Rick's Web Solutions. This was discussed and the Council agreed with Ms. Bishop's suggestion to switch to Rick's. Mrs. Shirey would call him to get an updated quote prior to the next meeting.
- Mrs. Koch asked for copies of the bid specs for the garbage and mowing contracts. Both contracts will be put out for bids this fall.

New Business

- Met-Ed had contacted the Borough about replacing mercury-vapor lights with high-pressure sodium bulbs. There are a total of 75 lights to be upgraded. Met-Ed owns the street lights, but the Borough pays for the electricity usage. Met-Ed requires the Borough's authorization to change the bulbs and for what wattage to be used. They recommend changing the existing 175 watt mercury-vapor bulbs to 100 watt high-pressure sodium bulbs, and the 400 watt to 250 watt bulbs. It was noted that the lumens from the sodium bulbs will be greater than the mercury-vapor bulbs. The Council was in agreement to go with the wattages recommended by Met-Ed.
- Mrs. Koch asked the clock tower maintenance contract should be reviewed. Bob Desrochers had serious health issue several years ago, after exposure to pigeon dropping

in the clock tower. Mr. Seidel suggested someone should contact Mr. Desrochers to see if he expected a price increase for the contract, or if he had any plans to retire.

With no further business to discuss, a motion to adjourn was offered by Mr. Hess at 9:37 pm. Ms. Bishop seconded the motion. All were in favor.

Respectfully submitted,

Janet T. Shirey
Secretary/Treasurer