

MINUTES

The regular monthly meeting of Dover Borough Council was held at Borough Hall, 46 Butter Road on Monday, June 6, 2011 at 7:00 pm. All members were present. President Sabold called the meeting to order. This was followed by a moment of silent prayer.

The May minutes were reviewed. There were no changes or corrections. Mr. Dentler made a motion to approve the May minutes, as presented. Mr. Hess seconded the motion. All were in favor.

PUBLIC COMMENT

- Chief Flohr reported the fire company responded to 25 calls in May. Four of those calls were in the Borough. There was a \$500 loss from a lightning strike. The new brush truck will be ready to go into service once they receive the tags.
- The June calendar of activities for the fire company was reviewed. The chief added two training dates, 6/8 and 6/22. Mr. Seidel made a motion to approve the fire company calendar of activities, as corrected. Ms. Bishop seconded the motion, and it carried.

SEWER

Manager's Report

- Mr. Seidel commented on the flow of 10,459,000 gallons through the plant during May, compared to 1,065,000 gallons of water pumped. Mr. Lentz noted there was five inches of rain and, even with this volume of flow they did not have to divert flow to the EQ tanks.
- Mr. Lentz reported there is not enough nitrogen removal during treatment. A Schreiber representative visited the plant twice and suggested some process changes to reduce the nitrogen. She also recommended extra lab tests for several weeks to determine how adjustments in the chemicals affect the nitrogen levels.
- Mr. Lentz reported his sewer license is due for renewal. The cost is \$60 for three years. He asked if the Council would pay this for him. There were no objections.
- A dual axle truck sank in part of the new blacktop area. A Kline's truck also left gouges where they turned around. It appears the base or the quality of the material is defective. Holley's office is checking into the product used by the contractor.
- Mr. Lentz reported Tom Wallace contacted Bill Ramage to check into submersible pumps to replace the level controller that failed because it was under water. Mr. Wallace did not get back to Mr. Lentz before the meeting. Mr. Lentz also reported the level controller was not connected to the callout system. Mr. Wallace was also checking with Mr. Ramage to see who was responsible for connecting this to the callout system. Mr. Lentz had been told the warranty was voided because the pump was under water. The Council agreed the contractor would be responsible for the replacement cost if errors on their part caused the equipment to fail.
- Mr. Lentz made Mr. Hertzog aware that there is noticeable settling in the area where Conewago Enterprises added a primary line from the clarigester to the primary tank. When the contractor came to re-seed this area Mr. Lentz asked them to fill in the ground, but they did not have enough top soil and proceeded with re-seeding.
- York County Conservation District will be performing a final inspection tomorrow to approve removal of the silt fences and other erosion precautions.

Engineer's Report – Mr. Clark emailed Fitz and Smith about scheduling a pre-construction meeting for the Intermediate Avenue project. The specs state the project must be done between June 15 and August 1.

Solicitor's Report – Nothing to report.

Old Business – Mr. Lentz asked Mr. Herrold if replacement of the screw pumps would have to be advertised for bids. Mr. Herrold stated it would because the cost of the pumps exceeds the limit which allows for non-bid contracts or purchases. Mr. Clark stated he and Mr. Sarpen felt there was an exception in the bidding requirements in the PA Borough Code. Mr. Herrold referred to Section 1402 (d) "The contracts or purchases made by council, which shall not require advertising, bidding or price quotations as hereinbefore provided, are as follows: . . . (3) Those where particular types, models or pieces of new equipment, articles, apparatus, appliances, vehicles or parts thereof are desired by council, which are patented and manufactured or copyrighted products:" Mr. Herrold stated this means the equipment would have to be patented and built by only one manufacturer. Mr. Lentz stated there are other companies who manufacture screw pumps; however, the plant is a Schreiber system. Mr. Hess noted the walls surrounding the existing screw pumps were built specifically to fit the Schreiber screw pumps. Mr. Lentz explained the Schreiber screw pumps have oil submerged bearings, which will also extend the life. Also, he does not know if another manufacturer's screw pumps are compatible with our plant. Would modifications be required for another brand to function, which would add to the cost? Mr. Herrold suggested Mr. Lentz check with Schreiber to see if their screw pumps are patented or the only ones which will function with their system. Also, can the specification be written to be specific enough that only Schreiber can supply the equipment? If not, he believes the project would have to be advertised for bids. It was suggested Mr. Lentz should also find out if installing another brand of equipment in the Schreiber system would void any warranties.

New Business – None.

WATER

Manager's Report

- Mr. Lentz provided a quote from Security Fence to replace the barbed wire with razor wire on the top of the fence surrounding wellhouse # 6, at a cost of \$1,930. To add it around the base of the fence would cost an additional \$1,248. Mr. Lentz reported when vandals have gotten inside the fence in the past, they had cut the fence at the bottom to gain access. There was some concern about the safety of anyone working inside the fence, if razor wire is installed around the bottom. Mr. Eisenhart asked if liability insurance would cover any injuries. Mr. Herrold stated Borough employees would be covered by workers compensation. Mr. Seidel made a motion to authorize the purchase and installation of razor wire along the top and bottom of the fence at wellhouse # 6, at a cost of \$3,178. Mr. Dentler seconded the motion. Five were in favor. Mr. Sabold and Mrs. Koch were opposed. Mr. Sabold and Mrs. Koch wanted the record to reflect they only voted against the motion because they were not in favor of razor wire at the bottom of the fence. In addition, Mr. Lentz reported the motion sensor inside the wellhouse building was removed. An insect set it off several times. The building is small enough it was felt the door alarm would be sufficient. Mr. Eisenhart asked if the Borough's insurance would cover the damage caused by the vandalism. The insurance adjuster's estimate was \$969.67, but there is a \$500 deductible. Mr. Eisenhart stated he wanted to determine the total cost to the Borough, including the amount of additional water the Borough

had to purchase. Mr. Lentz estimated the water purchase to be about 25,000 gallons per day. Mrs. Shirey reported the water bill from Dover Township increased by about \$1,000.

- Mr. Lentz reported the PA DEP and federal EPA are requiring new water testing. Two of the Borough's well sources must be tested quarterly for synthetic organic compounds (SOC's). Marty Flemig, who does lab testing for the Borough, is pricing the cost of these new tests for the Borough. The price estimates have ranged from \$1,200 to \$2,000 per site. After the initial year of testing, the Borough may be able to apply for a waiver. Mr. Lentz is estimating the cost at approximately \$10,000 per year.
- Mr. Lentz reported Dave Muzzy, a local consultant for Homeland Security from the PA Rural Water Association, inspected wellhouse # 6. Mr. Muzzy advised some trees close to the fence should be removed to increase visibility. Rogers Tree Service provided a quote to remove these trees, at a cost of \$700. There are also some tree limbs, which hang over the fence at the water tower from the property at 15 Stony Lane. Rogers provided a quote of \$350 to trim this tree. Mr. Lentz stated he would contact the property owners where these trees will be removed to be sure they have no objections. They will also be informed Rogers' truck will need to drive on these properties to perform the work.
- Jill Anderson, with the PA DEP, performed an inspection of the Borough's water system recently. She requested the Borough disconnect the interconnection with Dover Township on Butter Road. Mr. Lentz noted the valve has been closed for years. Ms. Anderson felt because the valve is usually under water that the seals could fail and allow surface water to contaminate the line. Mr. Seidel recalled the valve was engineered to be under water, because the Council knew it would be submerged. Also, this valve was installed to increase pressure on the east side of the Borough, mainly in case of a large fire. Mr. Clark will discuss the situation with engineers at his office to see if it is necessary to keep the connection.

Engineer's Report – Nothing to report.

Solicitor's Report – Nothing to report.

Old Business

- Mr. Lentz was asked to report on the status of testing at well # 4. He stated he would be meeting with Justin Shappell to look at possible sites for a replacement well.
- Mr. Seidel asked if the Borough had received any money from USTIF (Underground Storage Tank Indemnification Fund) for reimbursement of the extra expenses from the well # 4 contamination. Mr. Lentz stated he was meeting with Chad Kehew later this week to review the cost to date.
- Mr. Eisenhart asked why the water tower was not over 90 feet. Mr. Lentz stated with two wells out of service it had been difficult to keep it above 90 feet. Also, the water main break at the elementary school affected it.
- Mrs. Koch asked if the sidewalk repairs done by H & H Excavating, shown in the bill list, were the Borough's or property owner's responsibility. Mr. Lentz reported these sidewalks had been damaged while performing a curb stop, fire hydrant and water main repairs and were therefore the Borough's responsibility.
- Mr. Hess asked if Mr. Lentz received any further direction from DEP about permanently capping well # 4. Mr. Lentz stated Ms. Anderson did not mention this during her inspection. Mr. Lentz recommended capping this in the area of Willow Run Road where there is a 'T' in the line. This would eliminate a 'dead end' in the line.
- Ms. Bishop asked if Mr. Lentz has received any more information about the Borough 'piggybacking' on Dover Township's emergency contact system for the residents. Mr. Lentz

reported he needed to gather some information for the township to be able to give a cost estimate.

New Business – None.

BOROUGH

Manager's Report

- Earl Lauer spoke to Ms. Bishop because he is still frustrated with the condition of the property at 89 North Main Street. There is tall grass and the pool is not being maintained. He also complained about property maintenance issues at 71 North Main Street.
- Mr. Sabold asked if Mr. Lentz had contacted Kevin Behr about damage to lacrosse and soccer nets in Ketterman Park. It is believed this occurred when someone from Off Duty Property Maintenance (ODPM), the mowing contractor, drove over them. Mr. Lentz spoke to Justin Hovis, the owner, and Mr. Hovis accepted responsibility that one of his employees did it. Mr. Lentz reported he also spoke to ODPM about the quality of work and it has improved.
- Ms. Bishop stated when the lacrosse teams moved their goal nets they knocked down a Rose of Sharon bush.
- Mr. Lentz reported a Northern Regional officer informed him the weight limit signs on North Queen Street are not posted properly. They must be posted within 25 feet of the intersection. The officer lost a case because of this. Mr. Lentz stated the weight limit signs had been added to an existing sign post, rather than installing a new post. He will be checking these signs throughout the Borough to be sure they are posted correctly.
- Mr. Lentz met with a representative from York County Conservation District (YCCD) to discuss the Willow Run swale. She stated the Borough cannot dredge out the problem area without a permit from DEP. Mr. Holley's office will submit the permit application.
- Mr. Lentz reported Mrs. Heagy contacted him regarding the stormwater pipe installed along Locust Lane. She states the soil has washed away and has filled in the swale, causing it to back up. He will investigate this. It was noted there have been many storms this spring which has caused drainage and erosion issues.
- Mr. Hess asked if the person from the YCCD also looked at the drainage issues at the Park Street stormwater pipe swale. Mr. Lentz reported she was not asked to inspect this area. A project to improve this was included in the CDBG application. It was noted that removing some of the sediment would help the problem.
- Mrs. Koch asked Mr. Lentz if people neglected to move cars off the street during street sweeping. A discussion ensued regarding the Borough's ability to issue tickets to people for not moving their vehicles. Mrs. Koch noted Hellam Borough used a newspaper ad to notify their resident about street sweeping. It told them what streets would be cleaned each day and if the vehicles were not moved, they would be ticketed. The Borough does not have an ordinance which would allow vehicles to be ticketed. Mr. Herrold informed the Council that they could set up temporary parking regulations as long as you give adequate notice. He suggested posting signs to inform people.
- Detraglia will be doing yard restoration tomorrow at Heagy's property. Mr. Lentz requested a quote for them to also perform the restoration where Craig Gross installed the stormwater pipe. The cost of \$1,545 includes adding top soil, re-seeding and using a geotextile product. Mr. Lentz explained the area Detraglia will be restoring is very close to the other area that needs restoration from the stormwater pipe work. It made sense to get a quote for them to restore the other area as well. There was no objection to Detraglia doing this additional restoration work. A quote was also obtained to replace blacktop in the area of the stormwater pipe. The area is approximately 10' x 15' or 20', at a cost of \$2,275. The Council felt this was

expensive. Mr. Lentz suggested this repair could be done at the same time as other street repairs this summer.

- Ms. Bishop asked for an update on Michelle Griffin, the owner of AM Communications who requested a sign at the driveway for her business on East Canal Street. Mr. Lentz reported she called today to state the sign is not working and it can be removed. Also, she did not feel it was appropriate for the Council to request she pay for the sign after it was approved.
- Mr. Sabold reported there were some issues today with trash collection. The supervisor was contacted and most of the issues were resolved.

Engineer's Report – Mr. Clark reported the CDBG application was submitted on Friday.

Solicitor's Report

- Mr. Herrold reported he contacted Comcast, and sent a letter regarding an extension of the franchise agreement. A Comcast representative left a telephone message stating he would call back, but Mr. Herrold has not heard from him again.
- Mr. Herrold researched the request from York Habitat for Humanity (YHFH) to transfer land to the homeowners association. There is a statement on the subdivision plan which says the 'common areas' cannot be transferred without the approval of Borough Council. The attorney for YHFH submitted a resolution to Mr. Herrold for the Council to sign, which authorizes the transfer of Lots # 17 and # 18 from YHFH to the Spring Valley Homeowners Association. Mr. Herrold reviewed the homeowners association's covenants and under the terms of the covenant the homeowners are responsible for maintaining the stormwater management facilities, and other common areas. If the area is not maintained, the Borough must give 60 days' notice for failure to do the work. The Borough can then do the work and file liens against each of the properties in the homeowners association for the cost. Mr. Herrold explained the covenants are recorded with the deeds, and every property owner is bound by them. Mr. Herrold feels this adequately protects the Borough. Mr. Seidel made a motion to adopt Resolution 2011-3 enabling YHFH to transfer Lots # 17 and # 18 to the homeowners association. Ms. Bishop seconded the motion. Six were in favor. Mr. Eisenhart was opposed.
- Mr. Lentz asked if Michael Mengelkamp's attorney, 58 Amberview Drive, had contacted Mr. Herrold. Mr. Herrold had not received any calls from Mr. Mengelkamp's attorney.

Mrs. Koch asked Mr. Clark if there were plans to correct water runoff on the walking trail in the area of the tot lot at Ketterman Park. When it rains, mud runs across the path. It was noted there is a spring in this area. Mrs. Koch asked if the area beside the sidewalk could be excavated and ballast stone installed. Mr. Sabold stated he thought the walking path may need to be raised and a drainage pipe installed underneath it so the water could drain to the opposite side.

A discussion of the faucet in Ketterman Park included a suggestion to add an elbow so the water is directed toward the ground, rather than horizontally.

Police Report

- Mayor Pope reported the number of police calls was the same as April 2010. Calls for the year-to-date were two less compared to the same period last year.
- The first annual prescription drug take-back program in April at Giant Foods collected 72 pounds of prescription drugs. These were turned over to the DEA who destroyed them.
- To help combat higher gas prices, officers will be doing more foot patrols.
- Northern Regional had a tent at the Relay for Life. The children really enjoyed Officer Dorothy.

Ambulance Club Report – Nothing.

Recreation Board Report

- Mr. Dentler reported Missy Querry resigned, effective immediately.
- Sundaes in the Park is scheduled for Sunday, July 17 from 3 to 5 pm in Ketterman Park. Music will be provided by Hillbilly Heaven and Mountain Road Blue Grass.
- They are still working on plans for National Night Out.
- Mrs. Koch suggested the flower bed in front of the park sign should be removed. Items in the flower bed grow tall enough to block information on the sign.

Treasurer's Report – Mrs. Shirey had no changes. Mr. Hess offered a motion to pay the bills. Mr. Dentler seconded the motion and all were in favor.

Old Business – None.

New Business

- Personnel issue items, discussed during an executive session, brought up for vote or discussion in the regular meeting:
 - 1) The Personnel Committee recommended a change in the Employee Manual, Overtime and Holiday Pay (Page 6). It states – “Employees will be paid time and one-half for hours actually worked in excess of 8 hours in one day, or 40 hours in one week.” The Personnel Committee recommended deleting “8 hours in one day” so employees would only be paid for hours worked in excess of 40 hours in one week. Mr. Lentz was instructed to contract for any additional labor needed for snow plowing, rather than hiring temporary workers. Mr. Seidel made a motion to revise the Overtime Policy in the Employee Manual by removing the portion stating “8 hours in one day”. Mrs. Koch seconded the motion. Those in favor – Mrs. Koch, Mr. Seidel and Mr. Dentler. Opposed – Ms. Bishop, Mr. Sabold, Mr. Eisenhart and Mr. Hess. The motion failed by a vote of 4 to 3.
 - 2) Mr. Seidel responded to the request from Mrs. Shirey to place her daughter back on her health insurance. He informed Mrs. Shirey the Council would like to know if her husband had the option to place their daughter on his health insurance, and what that cost would be. She recalled the cost was about three times what it would cost her. Mr. Seidel stated the Council did not feel they could make a decision to allow this before they knew the specific amount of her husband’s cost, and if there were other options. Mrs. Shirey reported the only other option was her husband’s insurance. Mrs. Shirey quoted to the January 3, 2011 minutes, page 6 under Old Business, which included the statement that “if Mrs. Shirey needs to add her daughter back on her policy she may do so.” Mr. Eisenhart pointed out Mrs. Shirey had stated she would be removing her daughter for one year, and it had only been five months. He also stated the Council did not think it was fair for Brad and Duane to pay \$50 a week, and her to only pay \$15. Mrs. Shirey explained her single policy was paid in full by the Borough for the first six months, so she was not liable for any of this cost. If she re-adds her daughter the difference in cost for the Employee/Child policy is only for six months, so her share of the cost would be much less. Mr. Sabold noted the Council understood her position, but that it was difficult to tell the other employees they would suddenly be paying a lot more in the middle of the year. Mrs. Shirey stated the only reason she took her daughter off her coverage temporarily was to save Brad and Duane the extra cost, while her daughter didn’t need it. She noted the employees went into this year knowing they would be paying more. The Council established a policy several years ago stating the employees are responsible for the difference if the total cost exceeded the maximum amount the Council sets. Mr. Seidel stressed he wanted this situation to be fair and equitable for all the employees. Mrs. Shirey noted she had planned

to add her daughter effective July 1, and the next meeting is not until July 11. Mr. Eisenhart suggested the Council could get a caucus vote once Mrs. Shirey provides the cost for her husband's insurance. The action could then be approved retroactively to July 1, at the next meeting.

- 3) The York County Borough Association Picnic in the Park will be held June 23. Anyone wishing to attend should contact Mrs. Shirey to make reservations before June 16.

With no further business to discuss, a motion to adjourn was offered by Mr. Hess, with a second by Mr. Eisenhart. All were in favor. The meeting adjourned at 9:22 pm.

Respectfully submitted,

Janet T. Shirey
Secretary/Treasurer