

MINUTES

The regular monthly meeting of Dover Borough Council was held at Borough Hall, 46 Butter Road on Monday, September 12 2011 at 7:00 pm. Vice-President Koch called the meeting to order, because Mr. Sabold was delayed. The remaining council members and mayor were present. A moment of silent prayer followed.

The August minutes were reviewed. There were no changes. Mr. Dentler made a motion to accept the minutes as presented. Mr. Seidel seconded the motion. All were in favor.

PUBLIC COMMENT

Chief Flohr presented the fire company report.

- They responded to 22 calls in July, with 5 in the Borough. In August they responded to 26 calls, with 6 in the Borough. During the flooding, they responded to 25 calls on the 7th and 10 on the 8th. He will give a more detailed report about the flooding at the October meeting.
- Activities: A car show and yard sale is scheduled for October 1. The Halloween Parade is October 2 at 3 pm. Chief Flohr requested two people to serve as judges.
- They will have their annual Fire Prevention Week open house on October 12.
- The new brush truck placed second as the most functional brush truck at the York County Firefighters Convention.
- The mayor thanked the fire company for the assistance they provided to the Borough's residents during the flooding. Chief Flohr reported the largest number of calls for assistance pumping out water from basements, was in the Mayfield Street, Newlon Road and Mulberry Court area. There were also some problems in Cranbrook Acres.
- Mr. Lentz pointed out the fire company is run by volunteers and most of these people also have full-time jobs, yet they worked tirelessly to help the Borough residents!
- The fire company calendar for September was offered for approval. Mr. Seidel made a motion to approve the September activities calendar. Ms. Bishop seconded the motion. The motion carried.

Justin Hovis, owner of Off Duty Property Maintenance, introduced himself. He offered to extend the current mowing contract for two (2) years, at the same price. He feels he has established a good working relationship with the borough manager. His company will be doing some free landscaping work in Ketterman Park. He also reported he spoke to the owner of 107 Cedar Drive and will be mowing at that property. The property is vacant and was not being maintained.

George Harlacher, 4 Willow Run Road, was present to ask the status of repairing Willow Run behind his home. He reported the recent flooding caused significant damage to the lower third of his rear yard. Mr. Clark stated the permit to perform the work on this area was received from the PA DEP. Once the weather was dry enough the project could be done.

Darwin Frey, 56 Amberview Drive, was present to inquire about the status of repairs to Michael Mengelkamp's home at 58 Amberview Drive. He stated it has been 13 months since a portion of the rear wall of the house collapsed. Mr. Herrold stated he was told Mr. Mengelkamp's attorney would contact him, but he has not heard from anyone. Mr. Frey stated the weeds are rampant. There is a dead tree and some of the branches hang into his yard. The tarp over the rear of the house is torn and only part of it remains. Part of the TV antennae has come loose from the house and he is concerned it will fall into his house. Mr. Lentz informed Mr. Frey that a property owner can trim any branches which extend across the property line. Next, Mr. Frey reported the truck portion of a tractor-trailer has been parking at 118 Maplewood Drive. His stepson parked a truck in front of his house once and Mr. Frey received a code violation notice a few days later. He feels if he received a notice that anyone in violation should receive this notice. Mr. Lentz would follow-up on this.

Lonnie Holtzapple, 10 Mayfield Street, wants to make the Council aware of problems with his neighbors at 12 Mayfield Street. Two sons living there, who are in their early twenties, are the source of the problems. There was a drive-by shooting recently and the target of the shooting was one of the sons. There is a suspect, but not enough evidence to make an arrest. In addition, the sons put the dog outside and it barks incessantly. Also, the dog is not restrained, goes on other properties, and is threatening. Mr. Holtzapple stated he has spoken to the mayor and called the police repeatedly. Since the police are aware of the problems, there is nothing the Council can do to help. They encouraged him to continue calling the police.

SEWER

Manager's Report

- The equalization tanks overflowed during the hurricane-generated, heavy rains last week. Joe Roth, from the PA DEP, visited the plant during the rain and said all wastewater plants were struggling with the amount of rain. He felt the Borough was doing all we could during such an event. The level of the tanks is now down to less than 8 feet. Debris will need to be cleaned off the top edge of the tanks.
- The five pumps in the influent chamber were submerged during the heavy flows and they are not submersible. Conewago Enterprises pulled three of the pumps today and they were shipped to be 'cooked' to remove any moisture. These first three should be returned on Wednesday. After reinstallation, the other two will be pulled and sent out also. A claim was filed with PIRMA, but flood damage is not covered.
- The sump pump in the dry well failed. There are internal components which will need to be replaced.
- The Delwood Lift Station could not keep up with the increased flows which pushed out of the manhole. This also occurred at manhole # 8, on South Main Street in front of the gas station at Mill Alley. Mr. Lentz discussed two possibilities to resolve the lift station problem. First, work on infiltration and inflow. Second, increase the size of the sewer main from Delwood to the plant.
- Justin Hovis commented he noticed the transformers at the lift station are tilting slightly. He wanted Mr. Lentz to know in case the excessive rain was undermining them.
- Mr. Lentz reported a sinkhole appeared along Meadow Road at the stormwater drain on the east side. He placed cones around it.
- The bids for the screw pumps were opened on Friday, September 9. Schreiber was the only bidder. The bid total, for two screw pumps, including a Schreiber field service representative on-site during installation and start-up was \$68,500. This cost does not include crane rental or the cost for a contractor to install the screw pumps. Mr. Lentz had a prior quote for installation from HOEM, Inc., at an estimated cost of \$900. Mrs. Koch stated she only saw the bid advertisement one time. The Proof of Publication was provided for her to review. It certified the ad was run twice as required. Mr. Eisenhart made a motion to accept the bid from Schreiber for two new screw pumps in the amount of \$68,500 and HOEM, Inc. to install the screw pumps at an approximate cost of \$1,000, plus the cost of crane rental. Mr. Dentler seconded the motion. Under the question, Mr. Seidel stated he thought the bid was to include the cost of installation. This was not included in the bid and will have to be contracted separately. Mr. Lentz explained the field rep for Schreiber lives in the area, but if Schreiber installed the pumps they would send technicians from Alabama. The cost for Schreiber to be on-site includes not only time, but all their travel expenses which could run into significant extra cost. Under the vote, five were in favor. Mr. Seidel and Mrs. Koch were opposed. They asked the record to reflect that they voted no because they believed the bid specs were to include installation of the screw pumps. The estimated delivery of the pumps is 16 weeks. Mr. Eisenhart stated there should be a contract with HOEM, Inc. for installation.
- Mr. Eisenhart asked if the issue of unmarked wires in the influent chamber had been resolved. Mr. Lentz reported it was not.
- Mr. Lentz reported the issue of payment for the pump rebuilding has not been resolved between Conewago Enterprises and I. B. Abel. Abel does not feel they are responsible.
- Mr. Eisenhart asked about the status of testing the paving at the plant. Mr. Clark stated Conewago Enterprises is going to have the asphalt tested and they will cover the cost.

Engineer's Report

- Mr. Clark reported Paragon Electric is researching a different type of flood sensor for the influent chamber. The area is too damp for the type of sensor that had been used. They are considering a mercury float switch.
- Mr. Clark submitted Requests for Payment (RFP) for Fitz & Smith, in the amount of \$50,341.53, and Mr. Rehab at a cost of \$6,240. These bills are included in the bill list.
- He reported Mr. Rehab completed the lining of the sewer lateral under the high school football field.
- Mr. Eisenhart asked if the school district had been billed for their share of the Dover Intermediate School lateral replacement. The school district is responsible for 50% of the project and engineering costs. Mr. Clark stated he would supply a total of the engineering and project costs to the Borough so Mrs. Shirey could bill Dover Area School District.

Solicitor's Report – Nothing to report.

Old Business – None.

New Business – None.

WATER

Manager's Report

- Mr. Lentz reported new batteries had been placed in the flow meters before the heavy rains. He would be checking the data soon.
- The earthquake caused cloudy water at well # 5. The well was shut down for two days until it cleared.
- Over Labor Day weekend, the temporary water connection inside Dover Elementary School blew apart. The water tower dropped 40 feet overnight. Approximately 135,000 gallons of metered water was lost.
- Mr. Lentz made the Council aware that Justin Jackson, owner/landlord of 28 North Main Street, had removed two of the three water meters in the property. Mr. Lentz went to the property to replace a blank meter and found two of the meters had been removed. Based on the reading on one of the meters, Mr. Jackson removed it shortly after the May readings were obtained. Mr. Lentz reminded the Council that Mr. Jackson attended a Borough Council meeting in July 2009, at which time, Mr. Jackson stated he would like to re-route some pipes so the usage was more evenly spread out over the three meters. The Council told him they had no objection to him doing this. The applicable portion of the 7/6/2009 minutes, was read aloud. *“Justin Jackson, owner/landlord of 28 North Main Street, asked how many units in the Borough have a water meter for each unit in multi-unit properties. He felt he is unfairly charged over properties which have one meter in multi-unit properties. Mr. Jackson stated it is very difficult to trace all of the pipes in an old house, and feels he should only be required to have one meter. His main contention was that only one of his meters goes over the minimum each quarter, but he is paying one minimum for each unit. He feels he would be treated more fairly if he was charged three minimums on one bill and would get 3,000 gallons of water usage for each unit. In this way he would rarely have to pay for any usage beyond the minimum gallons. He stated one option would be to reroute some pipes so the usage is distributed over the three meters more equally. The Council had no problem with him doing this.”* The Council was in agreement that the meters are the property of the Borough and no one has the right to remove a meter without permission. Mr. Herrold suggested the Council try to work it out with Mr. Jackson before initiating legal action. It was decided that an official, written notification, rather than a telephone call, was appropriate. Mrs. Shirey was instructed to send Mr. Jackson a letter requesting that he attend the next council meeting to justify his actions. If he is unable to attend, he should send a letter. If he does not respond to the request, the Borough Council could pursue legal action against him for illegal removal of the meters.
- Justin Shappell, United Environmental Services (2/11 minutes) asked Mr. Lentz to contact the Dover Fire Company trustees to ask them to consider allowing the Borough to check their property for the possibility of a new well site. Mr. Lentz had not received a reply from the trustees yet.

Engineer's Report

- Mr. Clark spoke to Jim Holley to see if he recalled discussion of the well on Chet Downs' property from many years ago. Mr. Holley believed the well was dug in the Texas Eastern right-of-way. A company named Geotech did the research, but they are no longer in business. He recalled the well did not conflict with well # 6 during draw down testing. Mr. Holley searched their archives for information to document this and could not find anything.
- Mr. Clark submitted the final RPF for Detraglia Excavating, in the amount of \$500.

Solicitor's Report – Nothing to report.

Old Business – Justin Jackson sent a letter regarding.

New Business – None.

BOROUGH

Manager's Report

- Mr. Lentz reported the event permit was received from PennDOT for the tree lighting ceremony in November.
- Milt's Repair Service submitted a proposal to replace the bulbs in the traffic light at the square with LED bulb inserts, at a cost of \$4,000. Milt stated the energy savings would be 85% over the traditional bulbs. It was noted if the bid was

under \$4,000, the job could be awarded without getting other bids. Mr. Lentz would ask Milt if he could adjust the bid to less than \$4,000. Mr. Dentler made a motion to change the bulbs in the traffic lights at the square to LED inserts at a cost not to exceed \$4,000. Mr. Hess seconded the motion and it carried.

- Mr. Lentz reported he backed into a telephone pole during the hurricane. The tailgate and rear panel on the 2009 truck were damaged. He asked the Council if he should file a claim with the insurance company. He was instructed to get several quotes to get an idea of the repair cost.

Engineer's Report

- Mr. Clark reported the permit to repair the Willow Run swale was received from the PA DEP. A bypass pump with a filter bag will be used while the project is being done to prevent sediment traveling downstream. Mr. Clark did not expect the project to be too expensive.
- Mr. Sabold asked about the status of repairs, for the drainage issue, to the walking path in Ketterman Park. Mr. Clark reported Craig Gross was to give the Borough a quote for the repair. Mr. Sabold felt something should be done before winter because this issue causes ice to form across the path.

Solicitor's Report

- Mr. Herrold reported the Borough received a Right-To-Know request from a company in New Jersey. It requested copies of real estate tax payment reports, supplied by the tax collector. The information they requested was not on the remittance report Sam Herman provides. Mr. Herrold researched the law because the request stated it should be provided by the tax collector based on PA law. Upon investigation, Mrs. Shirey discovered this information was also required as listed in the Code of the Borough of Dover, chapter 51-3., B., (1). It states a detailed breakdown of the payments, including the name of each person, the amount paid and whether it was the discounted, face or penalty amount is to be included with each remittance. Mrs. Shirey discussed this with Mr. Herman and he was not aware of the requirement. Since the report did not exist and the law stipulates a form does not need to be created to meet the request, Mrs. Shirey denied the request. Since then, Mr. Herman created a form for the months included in the request and he will provide this information going forward.
- Mr. Herrold had reviewed the revised Stormwater Ordinance for advertising, provided by Holley's office. He clarified the new ordinance repeals the existing stormwater ordinance. Since the last meeting, Mrs. Shirey received a telephone call from the manager of Peach Bottom Township, who is also represented by Holley's office. The woman claimed several municipalities were concerned the ordinance had been modified in a way which made the requirements more stringent than required by the county's ordinance. In addition, she stated it appeared the modifications would generate additional engineering fees for Holley's office. Mrs. Shirey contacted Mr. Herrold to make him aware of this. He compared the draft ordinance, provided by the county, to the modified version prepared by Dave Lipinski. The main difference he found was the Disconnected Impervious Area (DIA), which was decreased from 1,000 square feet to 250 square feet. He noted Mr. Lipinski may have a legitimate reason for decreasing the DIA amount. Mr. Clark stated 250 square feet is the standard in most municipalities currently. Mr. Sabold pointed out that 250 square feet would be an average size driveway of 25' by 10', whereas a 1,000 square foot project would be sizable. The county plan stipulates municipalities must adopt a revised stormwater plan within six months of when the county adopted it. If municipalities do not adopt it within an additional 180 days, the PA DEP will give one warning. If a municipality still does not comply, all state funding money will be withheld until an ordinance is adopted. Mr. Seidel suggested adopting the model ordinance provided by the county and making modifications later. Mr. Herrold stated he would need to start the process over because the model ordinance would need to be modified to be specific to Dover Borough and Holley's office would need to prepare the design criteria in the ordinance. After some discussion, Mr. Herrold advised the council to proceed with the advertising and adopt the ordinance at the October meeting as planned. If the ordinance must be modified, it could be done easily at a later date. This would keep the Borough within the county's requirement for adopting the plan. The Council asked Mr. Herrold to speak to Dave Lipinski regarding the questions raised about the modifications he made to the draft ordinance. If he feels the changes are justified, he can proceed with advertising the ordinance for adoption. Mr. Seidel made a motion to authorize Mr. Herrold to advertise the Stormwater Ordinance, as presented. Mr. Eisenhart made the second, and the motion carried.

Police Report

- Mayor Pope reported there were 4 less calls in August and 4 less calls for the year-to-date, compared to the same periods last year.
- Effective September 1, officers will use hands-free devices for telephone calls when driving.

- The 2012 police budget will include a 3.54 % increase, which is \$1,222.60 more per share. The bulk of the increase is due to higher fuel costs and workmen's compensation claims. He stated Conewago Township is increasing their number of units, which lessened the increase in cost for the other municipalities. Mayor Pope asked the Council if he should vote in favor of approving the budget at the commissioners meeting later this month. There were no objections to the mayor voting to approve the police budget.

Ambulance Club Report – There was no meeting in August.

Recreation Board Report

- Mr. Dentler reviewed the expense report for Sundaes in the Park. The income was about \$50 less than the cost of supplies.
- Mr. Dentler thanked the mayor and Northern Regional Police for their assistance in getting the event permit from PennDOT for the tree lighting ceremony in November. The square will be closed from 7 to 8 pm on November 25.

At this point, William Klepper, 20 Rachael Road, asked if any of the council members knew where the Borough line was located on the south end of town. Several council people responded to his question. Mr. Klepper continued to discuss the issue. Mr. Seidel asked Mr. Klepper if he had a specific problem to discuss. Mr. Klepper seemed to have difficulty understanding the question and continued talking. Mr. Sabold interrupted him and informed him public comment is at the beginning of the meeting. If he wanted to discuss something with the Council, this would have been the appropriate time to do so. Mr. Klepper resumed talking. After repeated attempts to get Mr. Klepper's attention, Mr. Sabold was forced to pound the gavel to get him to stop talking. He informed Mr. Klepper the meeting was moving on to other business.

Treasurer's Report

- There were no additions or changes to the bill lists. Mrs. Shirey reported an error on the account balance sheet. Mr. Eisenhart asked if there are any other large payments due from the Sewer Fund this year. Mrs. Shirey informed him there is a principal and interest payment due in December. Mr. Dentler made a motion to approve payment of the bills. Mr. Hess seconded his motion. Six were in favor, with Mrs. Koch opposed.
- As required by Act 205, Mrs. Shirey informed the Council that the estimated employee pension minimum municipal obligation (MMO) for 2012 is \$11,549.

Old Business – None.

New Business

- Budget meeting dates were set for October 17th, and 24th only if needed, at 6:30 pm.
- A Borough CD will mature on September 17th. A list of current interest rates was reviewed. Mr. Eisenhart made a motion to reinvest the money at Peoples Bank for 16 months, at a rate of 1% interest, unless the rate drops. Mr. Seidel seconded and the motion carried.
- Mrs. Shirey reported that Municipay, the company the Borough is using to accept credit card payments in the office, is now offering the ability to accept credit card payments, or ACH check payments through the Borough website for permit fees and utility billing payments. Mrs. Shirey reported the service has been excellent and there have been no problems with the company. There were no objections from the Council regarding offering this additional service on the website.
- There was a dispute over a recent clothing reimbursement for Duane Grim. Duane submitted a receipt for clothing reimbursement for a pair of boots. He had highlighted a line, on the receipt, showing \$119.99. When Mrs. Shirey reviewed the receipt, she saw the amount in the total column showed as \$99.99. She felt she could only reimburse the amount documented on the receipt and only reimbursed \$99.99. Mr. Lentz contended that he approved the reimbursement when Duane submitted it. He agreed with Duane that \$119.99 was tendered on the day the boots were purchased and Duane should have been reimbursed the entire amount. The boots were purchased at Gander Mountain. Mrs. Shirey spoke to a manager and was told the boots had been on special. The cost was \$119.99, but the customer received a \$20 gift card when they checked out. Mr. Eisenhart pointed out Duane may have paid \$119.99 on the day he purchased the boots, but he received a \$20 gift card. The Council was in agreement that Mr. Grim had been reimbursed correctly. Mrs. Koch suggested a Clothing Reimbursement Request form should be created and in the future the council president should approve any request before reimbursement is made. The Council agreed this was a good idea. It was also noted the reimbursement for clothing and mileage are included in

the paychecks. Mr. Seidel stated reimbursements should be done on a separate check and should be done that way going forward.

- The trash contract will expire at the end of this year. The contract includes the option to extend it for one or two years, at the same price, if both parties are agreeable. Penn Waste is willing to extend the contract for one (1) year. Mr. Eisenhart made a motion to extend the trash contract with Penn Waste for one (1) year, at the same cost. Mr. Hess seconded the motion. All were in favor.
- The mowing contract will expire at the end of the mowing season. Off Duty Property Management (ODPM) has offered to extend the current contract for two (2) years at the same price. The Council asked Mr. Lentz if he was satisfied with the work ODPM is doing. Mr. Lentz stated their work is not as meticulous as Clipper's had been, but the work has gotten better. Mr. Seidel made a motion to extend the mowing contract with Off Duty Property Maintenance for one (1) year at the same cost. Mr. Dentler seconded the motion, and it carried.
- The York County Boroughs Association is hosting a quarterly dinner on September 22 at the Shrewsbury Fire Company. Anyone interested in attending should contact Mrs. Shirey for reservation.
- Mr. Seidel stated he will be scheduling individual meetings with each employee and the Personnel Committee in the near future.
- The part-time secretary, Karen Sipe, quit. Mrs. Shirey has interviewed five candidates, but Mr. Lentz had not interviewed them yet. She asked if the Council would allow the two of them to make a decision and the Council could approve it at the next meeting. The fall is her busiest time of year and she is anxious to get someone new trained. The council had no objections. In addition, Mrs. Shirey reported, because Karen had consistently worked less than 25 hours a week, there is extra money in the budget for the part-time position. When placing the ad on Craig's List she checked to see what other secretarial positions were paying. She found that \$9 an hour is an entry level wage for someone with little or no experience. She proposed increasing the starting wage to \$10 an hour, for Becky Hartzler and the new part-time person. The council debated this and Mr. Sabold suggested a starting wage of \$9.50, with a possible increase to \$10 an hour after a 90-day probationary period. The council agreed with this suggestion.

Mr. Sabold apologized for arriving at the meeting late. His daughter is still having serious medical issues and he received a call which delayed him.

With no further business to discuss, a motion to adjourn was offered by Mr. Hess, with a second by Mr. Dentler. All were in favor. The meeting adjourned at 9:50 pm.

Respectfully submitted,

Janet T. Shirey
Secretary/Treasurer