

## **MINUTES**

The regular monthly meeting of Dover Borough Council was held at Borough Hall, 46 Butter Road on Monday, November 7, 2011 at 7:00 pm. Mr. Seidel was absent. Mr. Hess arrived late due to work. The remaining members were present. President Sabold called the meeting to order and a moment of silent prayer followed.

The October regular minutes were reviewed. A motion to approve the October regular meeting minutes was offered by Mr. Eisenhart. Mr. Dentler seconded the motion and all were in favor.

The October 17 special meeting minutes were reviewed. A motion to approve the October 17 special meeting minutes was made by Mr. Dentler, with a second by Ms. Bishop. The motion carried.

The October 24 special meeting minutes were reviewed. There were two corrections on page 3, in the second paragraph, in the second line. The third word 'the' should be 'he' and the fifth word 'the' should be deleted. Ms. Bishop made a motion to approve the October 24 special meeting minutes, as corrected. Mr. Dentler seconded the motion and all were in favor.

Mr. Hess arrived at 7:10 pm.

## **PUBLIC COMMENT**

Chief Flohr gave the fire company report.

- They responded to 27 calls in October.
- The fire company would deliver Santa to the Tree Lighting Ceremony on Friday, November 25 on a fire truck.
- West Manchester Township Fire Department asked the fire company to join the mutual aid agreement they have in place. It already includes West Manchester Township, West York Borough and Dover Township. Since the fire companies in each of these municipalities responds to calls in the other municipalities, West Manchester Township wants to update the agreement to include Dover Borough. Mr. Herrold stated he would recommend the fire company approving this request.
- They are repainting the interior of the building.
- The November calendar of events was reviewed. The Tree Lighting Ceremony was added on November 25. Mr. Dentler made a motion to approve the November calendar of events. Ms. Bishop seconded the motion and all were in favor.

Darwin Frey, 56 Ambergrove Drive, requested an update on the status of repairs at 58 Ambergrove Drive. Mr. Mengelkamp's attorney called Mr. Lentz and informed him an agreement had not been reached with the insurance company yet. The attorney believes an agreement would be in place by the end of November. Mr. Lentz reported he sent a code enforcement notice, for property maintenance violations citing section 68-4. A., to Mr. Mengelkamp on 10/27. He has 30 days to appeal.

Brad Smith, the vice-president for Dover Youth Baseball, was present to discuss their use of the baseball fields in Ketterman Park. He thanked the Borough council for allowing them to use the fields in the park. They have practice or games Monday through Saturday from April through October. He asked if the Council had any concerns with them using the baseball fields. The council informed him that people are driving on the grass, so they can park closer to a field. Mr. Smith stated they would address this in March at the organizational meeting with players, coaches and parents. It should not be an issue next year. He was also told some people are putting their lawn chairs on the walking path, which blocks people trying to walk. Mr. Smith would address this also.

## **SEWER**

### *Manager's Report*

- Cummins did the preventive maintenance on the new generator installed at the WWTP. Mr. Sabold asked if this was included in the cost. Mr. Lentz stated one year of service was included in the purchase price. Winter Engine – Generator Service performs the maintenance on the other generator. Mr. Sabold suggested Mr. Lentz should check to see if Winter's could perform the maintenance on both when the other contract expires. Mr. Lentz was already planning to get a price quote for them to do both.
- Mr. Eisenhart asked if Mr. Lentz had determined the best way to resolve the drainage problem in the new EQ tank. Mr. Lentz reported he needs to determine how to work around the rebar in the bottom.
- Mr. Lentz reported Paragon Electric would finally be installing the proximity switches at the life station.
- Mrs. Koch asked if sludge hauling had been advertised for bids yet. Mr. Lentz reported it would be advertised for bids in November, and awarded at the December meeting.

*Engineer's Report* – Mr. Clark had provided a cost breakdown of the Dover Intermediate School lateral, so the school district could be billed for their half of the project cost. Mr. Clark noted \$1,500 had been withheld from Fitz and Smith until an issue with the repair of a stormwater pipe was resolved. Mr. Clark will work with Mrs. Shirey to supply the documentation to send with the bill to the school district.

*Solicitor's Report* – Nothing to report for sewer.

*Old Business* – None.

*New Business* – None.

## **WATER**

### *Manager's Report*

- Mr. Lentz had a quote from H & H General Excavating to remove a 'T', with three valves, on Willow Run Road which extends from well # 4. This will be part of abandoning the well, and is reimbursable. The quote was \$2,750 to perform this work, plus an additional \$2,000 to restore the asphalt.

*Engineer's Report* – Mr. Clark had nothing to report.

*Solicitor's Report* – Mr. Clark had nothing to report.

*Old Business* – Justin Jackson sent a letter regarding the removal of two water meters from his property at 28 North Main Street. He claimed to recall the Council had no problem with him removing two of the meters, because he believed some usage was going through two meters. He was willing to reinstall the meters if that is what the Council wished. If he did not have to reinstall these meters he understood he would pay one minimum for each unit in the property. The Council did not feel it was necessary to make Mr. Jackson reinstall the meters he removed. Mr. Jackson will be notified that he receive only one bill, and will be charged one minimum for each unit.

*New Business* – None.

## **BOROUGH**

### *Manager's Report*

- Mr. Lentz requested a motion to confirm approval to return the public improvement bond check to Affordable Auto Sales. He did a telephone poll vote on September 13, at which time the vote was six in favor, with Mrs. Koch opposed. Mr. Eisenhart made a motion to confirm approval to release the public improvement bond for Affordable Auto Sales. Mr. Dentler seconded the motion. Six were in favor, and Mrs. Koch was opposed.
- Mr. Sabold stated he was told someone was living in the shed, on the vacant lot, at the corner of Butter and Meadow Roads on the southeast corner. Mr. Sabold suggested Mr. Lentz send a letter to the

property owners. Mr. Lentz stated the homeless man, known as 'Herbie', has also been sleeping in a car and a pop-up camper behind the gas station at 60 South Main Street. Mr. Lentz spoke to the man who owns the garage and told him this is not allowed. Also, the vehicle is not inspected and the registration is expired, so it is in violation of the Dover Borough Code.

- A vehicle has been sitting in front of Weaver's Meat Market on West Canal Street for days, without being ticketed.
- Ms. Bishop reported her neighbor, Deb Snelbaker, informed her she has been seeing people in Ketterman Park after dark. She knows the police have seen them, but they do not ask them to leave.

#### *Engineer's Report*

- Mr. Clark stated 18 contractors picked up the bid specifications for the Meadow Road and Delwood Drive stormwater improvement project. A total of 12 submitted bids. One of them was late, so the bid tabulation only shows 11. In addition, one of these bidders did not include the cost of street restoration, so the bid was disqualified. He estimated the project cost at \$40,000. The low bid was submitted by York Excavating Co. Inc. at a cost of \$37,765. The restoration will be base paving only, so it can settle over the winter. He noted the sidewalk and driveway restorations are not eligible to be paid with Liquid Fuels money. Mr. Hess made a motion to accept the low bid from York Excavating Co. Inc. at a cost of \$37,765 for the Meadow Road and Delwood Drive stormwater improvements. Mr. Dentler seconded the motion and all were in favor. The project will be done in December.
- Mr. Clark discussed the quotes to fix the drainage problem at the tot lot in Ketterman Park. The quote from H & H General Excavating was \$4,990 to raise the walking path and install a drainage trench. The quote from Craig Gross Excavating was \$7,830 to add a trench, pipe and seepage pit, but did not raise the walking path. There was concern that raising the walking path could cause people to stumble. Mr. Clark stated the rise would be spread over 100 feet and should not be noticeable. Since both of these bids were over \$5,000 at least one more telephonic bid would be required. Mr. Clark would try to have another quote for the special meeting on November 10, since the Council wants the project be completed before winter.

#### *Solicitor's Report*

- Mr. Herrold presented Ordinance 2011-3 for adoption. The earned income tax rate was not changing. This ordinance was required due to revisions in a law. Mr. Eisenhart made a motion to adopt Ordinance 2011-3, which is a reenactment of the Earned Income Tax Ordinance to be compliant with Act 32. Mr. Hess seconded the motion. The motion carried. Mr. Herrold informed Mrs. Shirey that she will need to submit a copy of this ordinance to DCED.
- Mr. Herrold reported the debate over changes in the county stormwater ordinance has not been resolved yet. The PA DEP is considering making exception for small projects in the ordinance. Dave Lipinski, with Holley's office, will make the necessary revisions and submit a final draft to Mr. Herrold. The Council would like to review the draft before he advertises it for adoption.
- Mr. Herrold called attention to the list of proposed Borough Council meeting dates for 2012. He noted that January 2 is the first meeting date listed in 2012. This will be a holiday for most offices, since New Year's falls on a Sunday. The PA Borough Code requires a borough council to reorganize on the first Monday of even-numbered years, so if Monday is a holiday, then the meeting must be held on Tuesday, January 3. The January meeting date for 2012 will be changed to January 3.
- Mr. Eisenhart asked Mr. Herrold if municipalities are required to have a Capital Reserve account. Mr. Herrold referred to Section 1202 (33) in the PA Borough Code. "Creation of a capital reserve fund for anticipated capital expenditures. To create and maintain a separate capital reserve fund for anticipated legal capital expenditures. The money in the fund shall be used, from time to time, for the construction, purchase or replacement of or addition to municipal buildings, equipment, machinery, motor vehicles or other capital assets of the borough and for no other purpose." Mr. Eisenhart noted it states municipalities may have a separate account for this purpose. It is not required. Mr. Eisenhart challenged Mrs. Shirey's opinion that municipalities should have one year's budget set aside in a Capital Reserve. This money could be earmarked for specific items, but also available for unexpected expenses. It was his opinion that taxes should not be raised when the Borough has hundreds of thousands of dollars in the bank. Mrs. Shirey reminded him that the Borough Council asked her to

- research how much money other municipalities keep in savings. One year of the annual budget amount, for each fund, was the standard used by municipalities and is recommended by the PSAB.
- Mr. Lentz asked if Mr. Herrold made any progress with Comcast on a new cable franchise agreement. He would like to get an internet connection at the wastewater plant office, so they can file forms and reports on-line. Comcast was unwilling to give the Borough the additional internet connection without renewing the existing contract for 10 years. The Council stated they did not wish to pay for it and it would be put on hold until the cable franchise agreement was resolved. Mr. Herrold stated he and the Comcast representative had been playing 'phone tag' for months.

Mr. Lentz was excused from the meeting by Mr. Sabold due to another obligation.

#### *Police Report*

- Mayor Pope reported there were 27 more calls in September 2011, compared to September 2010. Calls for the year-to-date were up by 23 over the same period last year. The October Activity Report showed 36 more calls in October 2011, compared to the same month in 2010 and 59 more calls for the year-to-date compared last year. This brings the total calls for 2011 to 960. The Borough will likely reach 1000 calls in 2011, which would be the most calls since joining the regional department.
- Mr. Sabold reported heavy trucks were still using Fairview Avenue as a cross street to reach the construction project at Dover Elementary School even though weight limit signs were posted. The mayor would report this to the police department.
- Ms. Bishop asked if a meeting was held with the DASD superintendent, mayor Dover Township Supervisor Duane Hull and Mr. Seidel. The mayor stated has not been scheduled yet.

Mrs. Koch stated she saw a bid request ad to install a microwave tower at the elementary school. She asked if the installation of this tower was shown on the plan. Mr. Lentz did not recall, but would check into it.

#### *Ambulance Club Report*

- Mr. Hess followed up on the presentation, Peggy Durnin, the ambulance club manager made at the October 24 special meeting. She made a request for additional financial support from the Borough. Mr. Hess encouraged the Council to consider the request.
- Mr. Hess stated the Borough and Township fire companies would not be combining forces to perform TMI disaster drills.
- Mr. Hess announced he will be working second shift over the winter and will probably miss the monthly Council meeting and ambulance club meetings through March. He plans to check with his supervisor to see if he could be allowed time off to come to the council meetings. Mr. Husson asked Mr. Hess to check to see if the Council wanted to appoint someone to attend in his place. Mr. Eisenhart noted the Council would reorganize in two months, and the next council president may change the person assigned to the ambulance club.

#### *Recreation Board Report*

- Mr. Dentler reviewed the final breakdown of expenses from Sundaes in the Park.
- Robin Bowlsbey attended the last Rec Board meeting to request permission for Relay for Life to be held in Ketterman Park on June 2, 2012 with a rain date of June 3.
- Tree Lighting Ceremony: Santa is scheduled to arrive at 7:05 pm. Homemade cookies are needed to serve with the hot cider, coffee and hot chocolate. Crossroads Band and people from Mt. Royal Church will provide music. Mr. Dentler asked if the ladder truck could shine a spotlight down on the square during the event. Chief Flohr will check into this.
- They are organizing the Holiday Decorating Contest.
- At the next meeting they will discuss meeting dates for 2012, reappoint members whose term expires, and make suggestions for new members.

#### *Treasurer's Report*

- Mrs. Shirey presented the annual donation checks for approval. They were as follows: Union Fire & Hose - \$10,000; Dover Area Community Library - \$1,000; Dover Area Ambulance Club - \$1,000; Conewago Garden Club - \$350. All would be paid from the General Fund except the library donation,

- which will be paid from the Wallace Fund. Mr. Dentler made a motion to authorize payment of the annual donations for 2011. Mr. Hess made a second to the motion, and it carried.
- Mrs. Koch asked why the 2009 Ford truck was repaired. She recalled Mr. Lentz was told to get quotes, but he was not authorized to get the repair done. Mrs. Shirey noted the insurance covered the repair cost, except the \$500 deductible. *12/5/11 Addendum-* See December minutes, page 1, fourth bullet item for addendum to this item.
  - The bill lists were reviewed. There were two additional bills to be added. Both were from H & H General Excavating. First, a bill for the Water Fund in the amount of \$3,995 to repair the driveways at well # 3 and # 6. Second, a bill for the General Fund in the amount of \$1,395. Mrs. Shirey provided updated bill totals for these two bill lists. Mr. Dentler made a motion to approve the bills, as amended. Mr. Hess seconded the motion. Six were in favor. Mrs. Koch was opposed.
  - Mrs. Shirey reported a Liquid Fuels audit was done last week for 2009 and 2010. There were no findings.

*Old Business* – A special meeting to continue 2012 budget preparation is scheduled for this Thursday, November 10. An executive session will be held at 6:30 pm to discuss personnel issues. The employees will meet with the Council at 7:15 pm. The special meeting will convene at 7:30 pm.

#### *New Business*

- A list of computers the Borough owns and where they are located was reviewed. The hard drive from one of the computers which was replaced was given to Matt Altland, a part-time employee. There was concern that there could be confidential Borough information on the computer. The Council felt it should not have been given to someone without wiping the hard drive or checking with the Council first. Mrs. Shirey would check with the Council in the future.
- Christina Grim was offered the position of part-time secretary. Chris will be starting this Wednesday. Mr. Dentler made a motion to authorize the hiring of Christina Grim. Mr. Hess seconded the motion and all were in favor.
- The York County Boroughs Association annual dinner will be held on Saturday, November 12. Tickets are \$35 per person. Anyone who wants to attend should contact Mrs. Shirey to make reservations.

With no further business to discuss, Mr. Hess made a motion to adjourn. Mr. Eisenhart seconded and all were in favor. The meeting adjourned at 9:18 pm.

Respectfully submitted,

Janet T. Shirey  
Secretary/Treasurer