

MINUTES

The regular monthly meeting of Dover Borough Council was held at Borough Hall, 46 Butter Road on Monday, July 2, 2012 at 7:00 pm. Council President Joe Sabold called the meeting to order. This was followed by a moment of silent prayer. He announced Mr. Dentler was absent due to illness and Mr. Lentz was on vacation. The remaining council members and mayor were present. Mr. Schaumann attended in place of Mr. Herrold.

The June minutes were reviewed. A motion to approve the June minutes, as presented, was made by Mr. Seidel. Mr. Hess seconded his motion and it carried with all in favor.

PUBLIC COMMENT

The fire company report was given by Assistant Chief Troy Dettinger.

- They responded to 25 calls in June, with five of those calls in the borough.
- During the first six months of 2012 they responded to 132 calls, compared to 170 during the same period in 2011. Tuesday and Saturday had the most calls. They assisted 10 other fire departments. An average of 10 firefighters responds per call.
- One item was added to the July calendar. The brush truck will provide standby on August 4 during fireworks at Cousler Park, in Manchester Township. Mr. Seidel presented the motion to approve the July calendar of activities, as amended. Ms. Bishop seconded the motion. The motion carried.

Darwin Frey, 56 Amberview Drive, made several complaints.

- The water was shut off on Amberview Drive, one day last week, while a hydrant was repaired. He asked why residents were not notified the water would be shut off beforehand. The council would check with Mr. Lentz.
- Mr. Frey read an excerpt from the May 2012 minutes regarding an open trench at 58 Amberview Drive – “Mr. Sabold stated it should be barricaded as soon as possible and Mr. Lentz should check into the status of the project with Mr. Mengelkamp. Mr. Sabold stated if the homeowner will not deal with the open trench along the front wall that the borough should have someone fill in the trench.” Mr. Frey reported caution tape was put across the open trench shortly after the meeting, but the trench was just filled in last week. He questioned why the trench was allowed to remain open when the minutes state the borough would do something if Mr. Mengelkamp did not. Mr. Sabold did not know if it was legal for the borough to fill in the trench. Mr. Seidel stated it was his understanding that the front and rear foundation walls had been repaired and the area around the foundation had been backfilled. Mr. Frey was dissatisfied that it took so long for something to be done. Mr. Seidel stated he believed some of the delay was due to litigation with Mr. Mengelkamp’s insurance company to reach a settlement. Mrs. Koch noted it had been almost two years since part of the rear foundation wall collapsed.
- Mr. Frey reported there is debris piled behind Mr. Mengelkamp’s house. He would like this to be removed. He asked how Mr. Lentz notifies residents of violations. He stated he understands that some notices are done by telephone rather than in writing. He felt all communication should be in writing otherwise it may be difficult for the borough to prove notice was given when a complaint must be filed with the district justice.
- There is a dead tree in Mr. Mengelkamp’s rear yard that Mr. Frey believes is a safety hazard. He requested that Mr. Mengelkamp receive a written notice to remove the tree.
- Mr. Frey stated he feels the borough has not followed up on any of the problems at 58 Amberview Drive as aggressively as they should have. He believed this would have forced Mr. Mengelkamp to move more quickly to resolve the problems.

SEWER

Manager's Report – The written report was reviewed. It included an item stating an Emergency Response Plan was developed for the plant. Mr. Sabold asked Chief Flohr if Mr. Lentz had requested input from the fire company. Chief Flohr stated they had discussed this in the past, but not specifically for this plan. Mr. Sabold stated the council and the fire company should receive copies of the plan.

Engineer's Report – Mr. Clark opened discussion of the Annual Cap Load Violation letter received from the PA DEP, dated June 22. The letter stipulated “a Consent Assessment of Civil Penalty (CACP) in the amount of \$10,376.00.” He reported Mr. Lentz and Mr. Grim met with Dennis Sarpen, at Holley’s office, last week. Mr. Sarpen recommended Mr. Lentz should speak to Mr. Herrold in regards to responding to the violation. Since Mr. Lentz and Mr. Herrold were on vacation this week they would take no action until they returned. The council was frustrated because it appeared no action was taken until last week and the deadline for a response is next Thursday, July 12. Mr. Clark had been instructed to inform Holley’s office to contact the PA DEP regarding this at the last meeting. Mr. Clark had done this, but he did not believe anyone had called DEP. Mr. Schaumann asked if there was anyone else who may be aware of the details of the situation. He was advised that Duane Grim is the wastewater plant operator. He attempted to call Mr. Grim immediately, but had to leave a voicemail. Mr. Schaumann stated he would follow up with Mr. Grim and Mr. Sarpen tomorrow. He could then contact the PA DEP and at least request an extension until the borough manager and solicitor return. Mr. Schaumann would notify the borough of the action he takes. Mr. Clark reported Dennis Sarpen did a graph of the reading during the violation period to see if there had been a spike in the readings when the nitrate probe was not in place, or when the flooding occurred in September of 2011. The graph showed there was no consistency in the readings and they had fluctuated a lot. Mr. Sarpen recommended a way to combat future high readings will be to do additional testing, because the readings for the month are averaged. During months when high results are received additional tests would help bring the overall average down for the month. Mr. Seidel asked Mr. Clark if there is a way to determine if the nitrate probe is working correctly. Mr. Clark believed additional readings could be taken to compare to the reading obtained by the probe. Due to the time constraints of the letter it was decided the council should authorize action prior to the next meeting. Mr. Seidel made a motion to authorize the solicitor’s office to contact the necessary people to determine if there are grounds for an appeal. In addition, to authorize payment of the fine as dictated by the letter of June 22, in the amount of \$10,376 if it is necessary to prevent a more substantial civil penalty.

Solicitor's Report – Mr. Schaumann had nothing to report.

Old Business – None.

New Business – A letter had been received from South Main Rentals, the owner of 55 – 57 South Main Street, dated June 18, 2012. Jeff Rehmeyer, explained a leak had been found in the hot water heater in the basement of this rental property. The water usage for the second quarter was more than double the average usage. He requested ‘sewer relief’ for the charges. The council discussed his request and was in agreement that his request should be denied for several reasons. First, it is a rental property with four units and the usage in a multi-unit property can vary greatly, so the additional usage may not all be attributed to the leak. Second, although the council sympathized with his situation, maintenance of the property is the owner’s responsibility. Third, granting his request would set a precedent and would open the council to other requests in the future.

WATER

Manager's Report – The written report was reviewed. Mr. Sabold had additional information from Mr. Lentz regarding two items in his report.

- Since the water leak was repaired the level of the water tower has gone back up to near normal level.
- When the interconnect with Dover Township is disconnected on Butter Road, Mr. Lentz recommends installing a valve which would allow them to isolate flow to other areas of the borough. He estimated the cost at \$500. Mr. Sabold recommended he get a written estimate and combine this project with others to save on the cost.

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

Solicitor's Report – Mr. Schaumann had nothing to report.

Old Business – None.

New Business

- Mr. Seidel reported the Water Committee met to discuss the ongoing problems with the TClarity radio transmitters and continuing problems with battery failures in the Elster water meters. The transmitters are no longer available because Transmit Technologies went out of business. The committee made the following recommendations -
 - 1) Switch to a Master Meter brand, low lead, mechanical meter. In a few years a new law will require all water meters installed to be low lead. Since there is only a small difference in the price, they recommend purchasing low lead meters now. Also, this meter includes the radio transmitter in the head of the meter. This will eliminate running a wire from the meter to a separate radio transmitter unit as required now.
 - 2) A new handheld radio reading unit, and radio reading software, compatible with the Master Meter also must be purchased. The reading software has alert codes which will report things such as: no usage, leaks, or meter tampering. He explained that until all of the meters are replaced, the current Psion handheld reading unit will also still be used. He noted it is not unusual for water systems to have more than one type of meter or reading system, so this should not affect the utility billing software.
 - 3) The Master Meter is available with a swivel head for installation in situations where the meter must be installed vertically, rather than horizontally. There are a number of properties, mainly in the Delwood development, which will require this type of meter.

The cost for the Master Meter is \$198 per unit. The cost for a new handheld reading unit, including the reading software and necessary accessories, is approximately \$13,000. Add to this the cost of 150 meters and the total expenditure would be approximately \$42,700. If only 100 meters are purchased the cost would drop to \$32, 800. These meters are on the Co-Stars program which eliminates the requirement to advertise for bids.

In addition, Mr. Seidel reported people have tampered with the current meters by putting a magnet on top of it. Due to transmitter problems about 50 property owners must be called each quarter to get their reading and this is very time consuming. Elster has provided new meters to replace the ones with the failed batteries; however, for the most part the TClarity transmitter does not work with newer Elster water meters. Mrs. Koch asked what would be done with the 40 Elster meters received recently. Mr. Seidel stated these could be used to replace Elster meters that fail, which still have a working TClarity transmitter. Mr. Sabold asked if the current Master Meter would still be available in four years when the change-out is complete since technology is changing so quickly. Mr. Seidel believed this is a standard meter model and

should be available. References for the meter were obtained from East Berlin, Abbottstown and Dallastown Boroughs. They have this meter and reading unit and are happy with them.

The initial number of meters to purchase was debated. Mrs. Shirey pointed out that \$42,700 would reduce the balance in the Water Fund by approximately 40%. She suggested the council consider purchasing only 100 meters, as outlined above, which would reduce the expenditure by almost \$10,000. After the initial replacement of the meters with problems, the replacement of the balance would be broken down and done by area. This will take about four and a half years, with the borough employees doing the replacement. Mr. Seidel stated he would draft a planned replacement proposal for the next meeting.

Mr. Seidel made a motion to purchase 100 Master Meters and the reading equipment for a cost of approximately \$34,000. Ms. Bishop seconded the motion and it carried with all in favor.

BOROUGH

Manager's Report – The written report was reviewed. Mr. Sabold questioned the second item, which stated Edgeway Road was visually inspected. He noted the report said nothing about Fairview Avenue, which was also damaged from construction vehicles. Mrs. Koch reported the mowing contractor did not mow at well # 3 last week. In addition, the tree limbs touching the blacksmith shop were never trimmed.

Engineer's Report – Mr. Clark reported the draft of the stormwater ordinance has been sent to the municipal solicitor's for review.

Solicitor's Report – Mr. Schaumann had nothing to report. Mrs. Koch asked if he was aware if any burn ordinances had been obtained from other municipalities or if any progress had been made to update the burn ordinance. Mr. Schaumann was not aware of anything. The issue was tabled until Mr. Lentz is present.

Police Report – Mayor Pope reported there were 15 more calls in June, but 25 calls less for the year-to-date compared to the same periods last year. May 2012 was the busiest month in their history. The fire marshal determined the fire on Dogwood Drive was an electrical kitchen fire. There are no leads on the theft at Botterbusch Jewelry.

Ambulance Club Report – Mr. Hess reported there was no meeting.

Recreation Board Report

- Sundaes in the Park will be held on Sunday, July 22 from 3 to 5 pm in Ketterman Park. The Emigsville Band will provide the entertainment.
- Plans for National Night Out are proceeding. Mayor Pope asked if the Borough Council would consider making a donation toward the cost of the event. Mrs. Koch felt the council should see a list of projected income and expenses before committing money to the event. It was noted since this is the first year that it was difficult to predict this yet. Northern Regional committed to have the event in Dover Borough this year. If another municipality requests it next year it may be moved for 2013, although they hoped it would become an annual event for them to host even if the location changes. The Mayor gave an outline of the food items planned and donations he was aware of to date. The York County District Attorney, Police Chief Bentzel, Mayor Pope, some police officers and other local celebrities will take turns in the dunk tank. Non-perishable food items will be collected to receive three balls to attempt to dunk someone. The donated food items will be given to the Dover Food Bank. Attendance was being estimated at 400. After some discussion regarding the amount, Mr. Seidel made a motion for the Council to donate

\$200 toward National Night Out. Mr. Kroft seconded the motion. The motion carried. This would be paid from the Borough General Fund.

Treasurer's Report – There were no changes to the bill lists. The donation for the Dover Area Community Library was paid with \$500 each from the General Fund and Wallace Fund. Mr. Seidel made a motion to pay the bills, as presented. Mr. Hess seconded the motion and it passed.

EIT – Mr. Kroft reported on a recent meeting of the York Adams Tax Bureau (YATB) Board of Directors. The consolidation required by Act 32 added 16 new political subdivisions and over 58,000 taxpayers to the tax bureau's jurisdiction. During the 2012 tax season the number of visitors and calls to the Gettysburg office increased dramatically. There are also a number of issues with the current space. The Board of Directors recommended that the office should be moved to a larger, more accessible location. A Steering Committee was appointed to research purchasing a building versus leasing space. The Steering Committee presented a total of five options. Their recommendation was to lease space in a strip mall, which would have adequate parking, storage space and handicap access. The total cost to finish the space to their specifications would be \$75,000, which will be spread out over five years. They will likely pay it off sooner, but this gives them the option to spread out the cost. An additional \$83,000 will be spent on furnishing the space, telephone equipment and a security system for a total initial cost of about \$158,000. Act 32 will only be in force for five years, at which time it will be evaluated. It may continue, but if not the YATB will not own a building they no longer need. A meeting to vote on this would be held on July 30. Mr. Kroft asked how the council wanted him to vote on the issue. Mr. Seidel made a motion to vote yes on the recommendation of the Steering Committee, leasing option 1. Ms. Bishop seconded the motion. All were in favor.

Old Business – None.

New Business

- A CD will mature on July 19. A decision regarding reinvesting it or cashing it in will need to be made prior to the next meeting. Mr. Kroft suggested that if the rate to reinvest would stay at, or close to, 1% that the money should be reinvested. The council would then ratify the action at the next meeting. Mr. Kroft made a motion for the Finance Committee to make a decision regarding reinvestment of the CD when the rates are known. If the rate will be between 0.75% and 1% then the CD will be reinvested. If the rate is lower than this it should be cashed in and the money moved to the Borough General Fund.
- Mr. Seidel wanted to schedule a Personnel Committee meeting. The individuals on the committee decided on July 30 at 7 pm.
- The Water Committee planned a meeting on July 19 at 7 pm.
- Ms. Bishop requested that the Solid Waste Committee also schedule a meeting. The current contract expires at the end of the year and the bid specs and contract may need to be revised prior to the contract going out for bids in September. It was decided that since the same people served on the Personnel Committee that they would meet following that meeting on July 30.
- Mr. Sabold suggested that when Mr. Lentz is not available to attend a meeting that Mr. Grim could be asked to attend in his place. This way someone is available to answer questions. The council felt this was a good idea.
- Ms. Bishop asked if anyone had reported the broken basketball hoop in the park. No one knew if this had been reported.
- Mrs. Shirey requested that the Personnel Committee consider not approving a week of vacation for two people, who can cover the office, during the same week. With Mr. Lentz and Mrs. Hartzler both on vacation there is no back-up for the office. Mr. Seidel suggested Mr. Grim might be able to fill-in. Mrs. Shirey noted there is very little he could

do to help in the office. Also, when Mr. Lentz takes time off Mr. Grim has additional sewer plant and water system work to cover.

Mrs. Koch reiterated her frustration that a month had been wasted and no action had been taken regarding the violation letter from the PA DEP. The council agreed with this and felt the engineer's office should have been in contact with the PA DEP during June. Why did Mr. Sarpen not meet with Mr. Lentz until the last week of June if they had taken no action? Also, Mr. Lentz should have had a written report for the council regarding the status of the situation if he would be absent.

With no further business to discuss, Mr. Kroft made a motion to adjourn. Mr. Seidel seconded the motion and it carried with all in favor. The meeting adjourned at 9:43 pm.

Respectfully submitted,

Janet T. Shirey
Secretary/Treasurer