

## **MINUTES**

The regular monthly meeting of Dover Borough Council was held at Borough Hall, 46 Butter Road on Monday, May 6, 2013 at 7:00 pm. Mr. Kroft was absent due to illness. The remaining council members and mayor were present. President Sabold called the meeting to order. This was followed by a moment of silent prayer.

The April minutes were reviewed.

- Page 3, in the Borough heading, Manager's Report in the last bullet item the wording should be revised. It states trash is collected 'once time a week'. This should be revised to state 'one time a week' or 'once a week'.
- Also page 3, under Borough, in the Manager's Report in the last bullet item. Mr. Sabold stated he pointed out that there was trash blowing around in the park and he felt this should be added.
- Page 4, New Business, in the second bullet item and the third line. The wording should be changed to read 'information to document'.

Mr. Seidel made a motion to accept the minutes, as corrected. Ms. Bishop seconded and all were in favor.

## **PUBLIC COMMENT**

Fire Chief Rodger Flohr provided the fire company update.

- The TMI decontamination drill went very well. This is a federal drill required every six years. The fire company decided they would schedule a drill every year so they will stay prepared.
- The Students Against Drunk Driving (SADD) program at the high school was organized and went well.
- They responded to 21 calls in April. Only two of these calls were in the borough.
- They participated in the funeral for Loganville Fire Chief Rodney Miller who was struck and killed by a car while he was directing traffic at an accident.
- A total of about \$27,000 was donated toward the new roof for the fire station.
- He reported they would participate in Camp Tuckahoe's Spring Fling on May 11 for the Boy Scouts. There were no other additions to the May calendar. Mr. Seidel made a motion to approve the activities on the May calendar. Mr. Dentler seconded the motion and all were in favor.
- Chief Flohr stated he provided the requested list of items purchased with the donation the fire company received from the borough.

Darwin Frey, 56 Amberview Drive, asked if the ambulance club provides a report for the borough council. He felt this was important since the borough also gives them a donation every year. Mr. Sabold informed him they provide a monthly report of all the emergency and non-emergency calls listed by municipality each month. Also, Mr. Hess attends the monthly meetings and provides an ambulance club report at each council meeting.

Shirley Crone, 18 West Canal Street, asked who is required to abide by the 'codes of Dover'. She also questioned why they do not seem to be enforced. She claimed council members, former council members and employees are not required to follow the codes. Her specific complaint was regarding cats coming on her property. She believed the cats belong to Botterbusch's at 2 South Main Street and Lentz's at 4 South Main Street. Mr. Botterbusch is a former council member and Mr. Lentz is the borough manager. They should be aware of the codes. Mr. Lentz explained the cats escape sometimes when they open the door. Mrs. Crone was upset because her great grandchildren witnessed a cat attack a nest of rabbits on her property. She followed the cat home and saw several at the Botterbusch's back door. Mr. Sabold asked if the situation had improved. Mrs. Crone admitted it had since she called Mr. Lentz and Mr. Sabold, but if the code states that cats are not supposed to run free then why isn't it enforced. Mr. Sabold told Mr. Lentz he should do his best to keep his cats inside and remind the Botterbusch's of the requirement. Mrs. Crone asked what she should do going forward if she has a complaint. Mrs. Shirey informed her there is a complaint form available. A copy of the complaint is given to the council president and the borough manager.

Mike Gieschen with Steckbeck Engineering was present to follow up on the sewage planning module for a Dollar General Store as presented at the March 2013 meeting. It is proposed to be located on Carlisle Road north of Dover Borough. Mr. Gieschen reported the plan was reviewed by the borough engineer's office. Holley's office had several recommendations, which were addressed. He stated he was present to obtain signatures on the planning module. Mr. Seidel stated the borough council did not authorize signing the plan. They only authorized the engineer's office to review it. The council had not given authorization for a sewer connection on the northern interceptor. The Sewer Committee met with Dover Township to discuss the existing agreement and they would be reporting on this later in the meeting. Mr. Gieschen stated he would wait for this discussion to determine if the council would move forward with the plan.

## **SEWER**

### *Manager's Report*

- Mr. Lentz reported additional repairs are needed on all three flow meters. The initial quotes Hach submitted only informed him of the cost to have the batteries replaced. He received another set of quotes outlining additional repairs needed on each of the flow meters. The repair cost by meter was \$698.19, \$1,491.84 and \$1,940.07, for a total of \$4,130.07. This did not include shipping which would be \$35.39 per meter. The repairs and parts needed varied by meter. Mr. Lentz explained the meter is two parts. The part that needs the repairs was the meter itself that sits in the trough in the pipe to measure the flow. The other part is the data logger portion that is attached by a cable and sits at the top of the manhole. Mr. Lentz noted at least one should be repaired immediately so it can be recording data during the wet weather in the spring. The council debated the expense. Mr. Seidel made a motion to repair the two flow meters with the lowest repair cost. One at a cost of \$698.19 and the second at a cost of \$1,491.84, plus the cost of shipping. The third meter should be returned, without repairs. Mr. Hess seconded the motion. The motion carried. Mr. Lentz stated he requested a quote to have the flow meters added to the preventive maintenance contract with Hach.
- The rubber flaps installed in the trough are working well.

*Engineer's Report* – Mr. Clark reported the PA DEP contacted them in follow up to the last Chapter 94 Report. They want the borough to install a back-up generator at the Delwood Lift Station. Currently when the electricity goes out, and the pumps cannot operate, the flow is bypassed into a sludge truck and hauled to the wastewater plant. DEP wants to eliminate this by requiring a back-up generator. The conservative estimate for a generator was \$40,000. Since this was not a budgeted expense the council wanted to consider this when budgeting for 2014.

*Solicitor's Report* – Mr. Herrold reported on his findings regarding the sale or exchange of land discussed last month. Danny Wertz, 54 East Canal Street, contacted Mr. Lentz to inquire if the borough would consider selling or trading land with him. Mr. Herrold found that Article XII of the PA Borough Code addressed the issue of the sale of property. Subsection D1 outlined the requirements for the exchange of property. He believed a subdivision plan would be required. Mrs. Koch asked who would be responsible for the expenses incurred. Mr. Herrold stated this would be negotiated. Mr. Lentz was instructed to inform Mr. Wertz that the council was willing to consider his request. They would need specifics on what he proposes. Mr. Herrold stated the preliminary discussions could be verbal, but once terms are negotiated a written proposal would be drafted.

*Old Business* – The Dover Borough Sewer Committee met with the Sewer Committee from Dover Township to discuss the work the township proposed in their letter dated March 28, 2013. Mrs. Koch reported Dover Township is under a Consent Order and Agreement (COA) with the PA DEP. Their infiltration problem is in the Fox Run area and they need to focus their attention on this. Due to this they do not feel they have any flexibility in the timeline they suggested to accomplish the work. It was noted the letter did not include a proposed start date. The Sewer Committee asked Dover Township to provide the borough with a more specific timeline of when they will start Phase 1 and Phase 2. Mr. Seidel asked if there was any discussion of Dover Township requesting additional sewer connections. Mrs. Koch stated there was not. Mr. Sabold noted the immediate issue was if the council would approve the request for a sewer connection for Dollar General. The estimated flow from this new connection would be 160 - 180 gallons per day. He also reiterated the council's

concern that the plan for maintenance of the northern interceptor sewer line needs to actively move forward. The council did not feel the addition of one connection would cause any issues for the plant. Mr. Seidel made a motion to approve a sewer connection for one EDU hook-up for Dollar General. Mr. Hess seconded and all were in favor. Mr. Sabold proceeded to sign copies of the Sewage Planning Module and returned them to Mr. Gieschen.

(Additional discussion of the sewer main continued under Borough, after Old Business.)

*New Business* – None.

## **WATER**

### *Manager's Report*

- Mr. Lentz stated he planned to focus a lot of time replacing meters in May.
- 'Quick-connect' caps were added to the hydrant that was replaced at 10 North Main Street. There are currently three hydrants with them. Mr. Hess suggested the council consider budgeting for additional ones. Mr. Lentz stated the cost is about \$150 per unit.
- Mr. Seidel asked if any one area of the borough has had all of the water meters replaced with the Master Meters yet. Mr. Lentz reported he is still working on replacing the meters that have failed and where the transmitter is not working.
- Mrs. Koch asked if there was an unforeseen problem that caused the hydrant replacement, done by H & H General Excavating, to exceed the amount bid by \$200. Mr. Lentz stated there was not a specific problem that caused the overage.
- The water valves were exercised throughout the borough. While performing this work a 4-inch blow-off and valve at 118 North Main Street broke. It will need to be repaired.

### *Engineer's Report*

- Mr. Clark reported Detraglia Excavating should begin the project on Edgeway Road within two weeks.
- Mr. Clark reported he called Jeff Rehmeier, solicitor for the school district, to discuss the damage on Edgeway Road, but he had not responded yet. Mr. Lentz reported he contacted Dave Nelson to check on the status of negotiations between the school district and Warfel Construction for repairs of Edgeway Road. Mr. Nelson informed him that the solicitor was handling it.

*Solicitor's Report* – Nothing to report.

*Old Business* – Mr. Seidel reported the Water Committee met to discuss establishing a collection policy. Mr. Lentz and Mrs. Hartzler participated in the meeting. He felt the committee came up with a good idea of what they want it to include. He wanted to ask Mr. Herrold's advice regarding several issues. First, does the resident have the right to tell the borough how they want their payment to be applied? The borough can shut off the water service for non-payment, but if they request the payment be applied to the water charges first this would circumvent the process. Mr. Herrold stated that unless the ordinance states how payments are allocated, the borough council has the authority to decide how payments are applied. Second, Mr. Seidel stated he felt the ordinance was too vague and should be updated to include a policy regarding how payments are applied and collection of past due accounts. Mr. Herrold stated the ordinance could be updated, but it was not necessary. A motion stating how payments will be allocated and a collection policy can be adopted by borough council. It can be done by resolution, but a motion is sufficient.

*New Business* – None.

## **BOROUGH**

### *Manager's Report*

- Mr. Lentz reported Dover Township received the bids for street work the borough is doing in cooperation with them. This would be for repaving Edgeway Road. The bid awarded was at a cost of \$58.80 per ton, which includes milling six feet along the edges, base coat, leveling layer and the top

coat. The cost for base repairs was \$5,782.50. He calculated the total cost, including the added cost of base repairs, at \$45,181.81. Since the school district and contractor are still negotiating over the damage to Edgeway Road Mr. Lentz suggested the base repair could be done this year and postpone repaving until next year.

- Mr. Sabold thought the street sweeper did an exceptionally good job this year. Mrs. Koch felt money is wasted because some people do not move their vehicles. A debate ensued regarding what would be required to allow the borough to issue parking tickets if vehicles are not moved. Mr. Herrold stated temporary no parking could be enacted. He explained signs would need to be clearly posted for it to be enforceable. This would allow the vehicles to be towed. He suggested the sign should include the dates the street sweeping will be done and if the vehicle is not moved it will be towed. Mr. Lentz reported residents were notified in several ways. A sign was placed in the square, a notice was placed on the website and notices were placed on vehicles the day before.
- Ms. Bishop asked Mr. Lentz if he was aware a picnic table in the park was vandalized. The council believed the Eagle Scout who built them was responsible for the maintenance. Mr. Sabold had been an Eagle Scout and was unsure how long the person was responsible for maintaining their project.

*Engineer's Report* – Nothing to report.

*Solicitor's Report* – Nothing to report.

#### *Police Report*

- Mayor Pope reported there were 25 more calls in March, and 13 more calls for the year-to-date compared to the same periods last year. He was told the increase in calls was attributed mostly to service calls, rather than an emergency.
- Ms. Bishop reported there is a problem with large trucks speeding on Butter Road. She offered to allow the police to sit in her driveway if they hold a speed trap. Mrs. Koch stated traffic is also going too fast on Main Street and a speed trap should be done there as well. The council members felt speeding was a problem on other streets also.

*Ambulance Club Report* – There was no meeting in April. Mr. Hess had nothing to report.

#### *Recreation Board Report*

- Mayor Pope reported the second National Night Out planning meeting was held. More vendors would like to participate, so the fire company is going to expand the area available.
- The first Sundaes in the Park will be held on June 16 from 3 to 5:30 pm.
- The board is planning a Civil War Remembrance to be held on June 29. They are scheduling speakers. Artifacts will be on display. It is unlikely there will be any re-enactors available because they are taking part in the larger events in the Gettysburg area. The fire company is planning a pancake breakfast. The local Boy Scout and Girl Scout groups want to be involved in the event. Local food businesses will be selling food. Mrs. Koch reminded the mayor that vendors will need a Peddlers Permit. It was suggested that the council could waive the permit for a Recreation Board event. Mrs. Koch noted her concern was that the borough council must be consistent in the enforcement of permits. Mayor Pope offered to pay the permit fee if it is necessary.  
(Discussion of Peddlers Permits continued after New Business.)
- Mrs. Koch inquired about the cost of the entertainment for Sundaes in the Park. Mayor Pope reported the fees are as follows: Emigsville Band - \$225; Hillbilly Heaven - \$125; Dover Orchestra - \$100. Mrs. Koch felt this type of information should be included in the Rec Board minutes.

#### *Treasurer's Report*

- Mrs. Shirey informed the council that H. A. Thomson contacted her regarding the workers compensation insurance policy. EMC Insurance planned to cancel the borough's coverage in 2014. This was due to the increased liability for volunteer firefighter cancer claims as a result of changes in a law, which allows them to file claims for a much longer period. H. A. Thomson recommended the borough should change to AmeriHealth. The premium would increase by 42% over the cost last year. Additional

money had been budgeted this year, but not enough to cover this increase. Mrs. Koch questioned where the additional cost would come from. Mrs. Shirey noted the Section 1312 of PA Borough code allows for the reallocation of money in the budget. The council could consider this for the shortfall.

- There were no additions or changes in the bill lists. Mr. Dentler made a motion to approve payment of the bills. Mr. Seidel seconded the motion. Six were in favor. Mrs. Koch was opposed.

#### *Old Business*

- There was still a vacancy on the Planning Commission. Tom Slusser, an audience member, volunteered to serve. He was informed that because he is running for council he would need to resign from the Planning Commission if he is elected. There cannot be more than one council member on the commission at one time. Mr. Seidel made a motion to appoint Tom Slusser to the Planning Commission. Mr. Dentler seconded the motion. All were in favor.
- Quotes to purchase a new computer were reviewed again. An additional quote had been obtained by Mayor Pope. When there were no comments Mr. Sabold stated it would be tabled again. Mrs. Shirey recommended discussion of the purchase should be dropped since this was the fourth month it was on the agenda. Mr. Sabold noted there had been unexpected expenses which may have made the council hesitant to spend the money.

#### **SEWER - Cont'd**

Mrs. Koch noted the council had not made a decision if they wanted Dover Township to proceed with their proposal regarding work on the sewer main north of the borough. Mr. Sabold noted the council had expressed concern that although the township would televise the sewer main that actual repairs of any issues were not discussed in the March 28, 2013 letter. Mrs. Koch reiterated the committee requested a timeline from the township. Mr. Hess stated Dover Township indicated they would need to budget for repairs. Mrs. Koch stated the township indicated they hoped to begin televising as soon as mid-May, but no later than the end of July. They expect it to take about two weeks. The council's main concern was that work on the line would move forward. Mr. Lentz was instructed to inform Chuck Farley via letter that the timeline proposed was agreeable.

*New Business-* Mrs. Shirey had provided the council with information regarding an administrative exemption from hourly pay based on the Fair Labor Standards Act (FLSA). She researched it and believed she met the requirements to be exempt and should be a salaried rather than an hourly employee. Her motivation was to save the borough money. Mr. Sabold asked if the issue should go back to the Personnel Committee for discussion. Mr. Seidel stated the employment law attorney at Mr. Herrold's office, David Schaumann, had reviewed all of the job descriptions and was the one who informed them her type of pay should be changed from salary to hourly in 2012.

*Recreation Board Cont'd* - Mr. Sabold reopened the earlier discussion of Peddlers Permits. He stated it was his opinion that the borough invested money in developing Ketterman Park. Also, the council authorized the Recreation Board to plan activities for the park. In light of this, he felt it was counterproductive to require borough businesses, who support an activity planned by the Recreation Board, to get a Peddlers Permit. Mrs. Koch stated part of her concern was possible liability for the borough. Discussion regarding the necessity for peddlers permits for other events was debated. Mrs. Shirey would contact Mr. Herrold to research the Peddlers Permit ordinance to see if exceptions are allowed. Mayor Pope, Mr. Dentler and Mr. Seidel volunteered to pay the permit fees for the vendors if it is necessary.

With no further business before them, Mr. Dentler offered a motion to adjourn. Mr. Hess seconded the motion and it carried with all in favor. The meeting adjourned at 9:17 pm.

Respectfully submitted,

Janet T. Shirey  
Secretary/Treasurer