

MINUTES

The regular monthly meeting of Dover Borough Council was held at Borough Hall, 46 Butter Road Monday, June 3, 2013 at 7:00 pm. All members were present. President Sabold called the meeting to order. A moment of silent prayer followed.

The May minutes were reviewed.

- Page 3, in the Borough heading, the first word in the second line. Mr. Seidel suggested 'tandem' might be a better word rather than 'cooperatively'. Mrs. Shirey noted cooperatively is the word commonly used when municipalities work together. No one felt the word should be changed.
- Page 5, under the Sewer cont'd section, in the last line of the paragraph. The words 'via letter' should be inserted after 'Chuck Farley'. This would clarify how Mr. Lentz was to notify Mr. Farley.

With no additional additions or corrections, Mr. Dentler made a motion to approve the minutes, as corrected. Mr. Hess seconded the motion. It carried with all in favor.

Mr. Sabold recognized Mr. Seidel. He stated he wanted the council to consider how public comment is managed during the meetings. Obviously council members are open to public scrutiny as elected officials. He was concerned that last month a resident named an employee during her complaint. He felt this type of complaint should have been referred to the Personnel Committee. He wanted Mr. Herrold's opinion and a consensus from the council on the issue. Mrs. Koch suggested the council consider a written policy for public comment. Mr. Herrold stated one of the fundamental principles of elected office is the right of citizens to address their public officials. He agreed that personnel matters should not be discussed in public; however, the issue raised by Mrs. Crone last month was not a personnel matter. It would be a personnel matter if the council felt it was necessary to discuss an employee's behavior and whether or not any action was necessary. She had the right to present this complaint to the council. Mr. Herrold stated he saw this as two separate issues. First, the citizens have a right to address the borough council regarding any issue. That should not be limited. Second, the council can determine how they respond to a concern. Mr. Herrold stated the council is not required to give the person an answer at the time of their comment. They can tell the person they will consider their complaint/concern and get back to them.

PUBLIC COMMENT

Debbie Van de Castle, Director of Dover Area Community Library, and Ann Bridge a representative from the Friends of Dover Library were present. They thanked the council for their financial support and wanted to provide an update on the library. Two and a half years ago the library expanded and doubled their space. Ms. Van de Castle distributed a handout which provided statistics from 1999 to 2012. Circulation, participation in the preschool story time and summer reading programs had increased significantly. The Dover Area Community Library is the fifth busiest library in the state of Pennsylvania based on usage per square foot. The demand for their services continues to increase. Unfortunately state subsidies have decreased by 35% since 2006. She thanked the council again for their support and stated the library would be very grateful for any additional support they could provide. The council thanked her for providing a report.

Troy Dettinger provided the fire company report.

- They responded to 14 calls in May. Three of those calls were in the borough.
- He added several items to the June activities calendar. On 6/15 they will attend a training session at the York County Solid Waste Authority. June 29 a breakfast will be held as part of the Civil War Remembrance. Mr. Seidel made a motion to approve the activities on the June calendar, as amended. Mr. Dentler seconded his motion and it passed.
- Replacement of the roof on the fire company building was completed. Repairs had started on the water damage inside the building. He explained the replacement roof is white TPO, which is more durable and should help reduce cooling costs in hot weather.

Jessie Parks, 522 Oakwood Drive, reported neighbors bordering her property planted bamboo last summer and it is spreading into her yard. Her research showed that bamboo is extremely invasive. It will spread unless underground barriers are installed. She and her husband spoke to the neighbors who claimed they plan to get rid of some of it. They want to keep the portion that is in their garden. Unfortunately, they do not plan to install an underground barrier. To get rid of what is on her property she will have to kill a large portion of her grass to stop the spread of the bamboo. She asked the council if the borough could do anything. Mr. Herrold stated there was nothing in any ordinance to help her, but property owners have the right to remove or kill vegetation that comes across the property line.

Shirley Crone, 18 West Canal Street, stated she wanted to respond to Mr. Seidel's comments. She noted he referred to the complaint she brought up at the last meeting. She reiterated that her point had been that if residents are expected to abide by ordinances then council members, former council members and employees should also have to obey them. She pointed out that she did not mention a name. Mr. Lentz responded to her comments thus identifying himself. She came to the council because she felt he had not taken her complaint seriously. She felt two ordinances were violated by the individual who is responsible for enforcing them. She wanted the council to be aware of this. During that meeting she felt bullied by his responses and a lack of support from the council. She stated Mr. Lentz spoke with her that night after the meeting and she believed the issue was resolved. She felt the discussion this evening turned the situation back on her. Mr. Sabold noted the council listened to her complaint last month and she admitted the situation had been resolved. Mr. Lentz's family was controlling the cats to the best of their ability. He felt the council had determined the problem was resolved. No one is exempt from obeying an ordinance. If a violation continues to occur she should report it so it can be dealt with.

SEWER

Manager's Report

- Mr. Lentz reported two of the flow meters were repaired and returned. There was a charge of \$228 to evaluate the one that was not repaired. This did not include \$35.29 for shipping. It will not be returned until the charge is paid. The council wanted the meter to be returned so they would have to pay the fee.
- Mr. Lentz was asked if the repaired meters were returned and functioning. He reported one of them is working normally. The second one will not communicate with the computer to download the data. It could be that software on the data logger was updated during the repair and the software on the computer may need to be upgraded.
- Dover Township checked some homes on the northern interceptor for sump pumps. None were found.

Engineer's Report – Nothing to report.

Solicitor's Report – Nothing to report.

Old Business

- Mr. Hess asked about the status of the design and estimates to add a catwalk to tank # 3. Mr. Lentz recalled Holley's office was going to work on suggestions for the design. Mr. Hess reminded the council money had been budgeted for the project this year. Mr. Sabold stated Mr. Lentz should pursue getting estimates once a design is chosen.
- Mr. Seidel asked if the non-potable pumps that failed were newly installed during the plant upgrade. Mr. Lentz confirmed they were. He is working with Dennis Sarpen and Ross Industrial Services to determine why they failed. Mr. Lentz explained these pumps return the flow from the UV tank into the non-potable system. He reminded the council these pumps ran constantly for a long period of time. After another repair was done they cycle on and off and have significantly less run time.

New Business – None.

WATER

Manager's Report

- Mr. Lentz reported Justin Shappell is looking at Dale Forry's land along Meadow Road as a new well site. A test well will be done to determine if it could provide sufficient gallons per minute. Mr. Shappell wanted Mr. Lentz to ask the council if they would want to purchase the entire parcel of land. There was debate if USTIF would cover the cost of the entire parcel if it is larger than the parcel well # 4 occupied. At a prior council meeting, Mr. Clark informed the council that USTIF would only pay the cost to replace equal to what was lost. Mr. Clark pointed out that owning the entire parcel would cover the requirements of wellhead protection.
- Mr. Lentz informed the council that the land surrounding well # 5, owned by the Heagy's will be going up for sale as part of Mrs. Heagy's estate. He asked the council to consider if they would want to purchase the land so the borough would own the land surrounding the well. Mr. Herrold stated there is likely a right-of-way or an easement in the deed currently. He offered to get additional information regarding both potential land purchases.
- Mr. Lentz obtained a phone quote from H & H General Excavating to replace the blow off valve at 118 North Main Street. Their quote was \$2,100. The cost for parts will be \$982.88 for the valve, blow off and fittings. There were no objections to performing the repair.

Engineer's Report – Mr. Clark reported Detraglia was scheduled to start work on Edgeway Road on June 10.

Solicitor's Report – Nothing to report.

Old Business – Mr. Seidel stated he was working on a collection policy for water, sewer and trash billing. He will provide it prior to a regular meeting so the council has time to review it.

New Business – None.

BOROUGH

Manager's Report – Mr. Lentz got a quote from Dave McAfee to replace the footers in the planters. The additional cost would be \$785 per planter. The cost to rebuild the planters was \$1,175. This would bring the total cost to \$1,960 for a planter that needs the footer. A decision would be made in the fall.

Engineer's Report

- Mr. Clark spoke to Attorney Rehmeier, solicitor for Dover Area School District, regarding the damage to Edgeway Road and Fairview Avenue. He also provided him with a DVD taken of the area prior to construction. Mr. Rehmeier informed him any further communication should be through Mr. Herrold.
- The borough received a letter from the PA DEP stating a waiver was granted for the MS4 Stormwater requirements. This applies to monitoring outfalls. This does not apply to the Stormwater Ordinance which is still required.

Solicitor's Report

- Mr. Herrold thanked the council for the planter and expressions of sympathy on the death of his sister.
- The proposed contract with Comcast was received. Mr. Herrold suggested the council read the Executive Summary they included, which gives a summary of the full Cable Franchise Agreement. The Competitive Equity Provision was of special interest. This would apply if another cable company wants an agreement with the borough. If so, the terms must be comparable to the Comcast agreement or Comcast can request renegotiation of their contract. Mr. Herrold suggested the council review the documents and authorize advertising the new ordinance at the July meeting.
- At the request of the council. Mr. Herrold reviewed the Peddlers Ordinance. He agreed the exemption in the borough's ordinance section 113-4.D. would allow the council to waive the license. This would exempt vendors for the Civil War Remembrance. Vendors approved by the fire company for the Halloween Parade would also fall under this exemption. Unapproved vendors would need a permit.

Mrs. Koch asked Mr. Clark if the Chapter 94 report would need to be updated if the borough buys or swaps land along East Canal Street with Mr. Wertz. Mr. Clark stated he believed it would depend on whether the council planned to join the parcels or keep them separate. He would need to verify this with someone more knowledgeable in his office, but he did not believe it would be necessary until the land is used for wastewater plant (WWTP) operations. There was a debate over the pros and cons of joining this land to the WWTP. Mr. Herrold thought it made sense to do this at the time of transfer. Mr. Clark noted additional expense would be involved. If Mr. Wertz pays for the subdivision plan, the borough would be responsible for the additional expense of joining the borough's parcels. Mr. Clark would get additional information regarding the Chapter 94 report question and advisability of joining the parcels.

Police Report – Mayor Pope reported there were three less calls in April, and 10 more calls for the year-to-date compared to the same period last year. The 2012 audit was completed and there were no problems. The police union contract expires in 2014. Negotiations will begin this year.

Ambulance Club Report – Mr. Hess reported there were no problems to report. The monthly call reports were not received in time for this meeting.

Recreation Board Report

- There were not enough members available to hold the May meeting.
- Mayor Pope requested approval for three checks. They were as follows: Hillbilly Heaven - \$125; Emigsville Band - \$225; Bruster's Ice Cream - \$260 and National Night Out - \$250. There were no objections. It was noted this would be considered part of their budgeted expenses.
- A group of five or six re-enactors requested permission to spend the night in the park. The council had approved this several months ago, but then the Recreation Board did not think anyone was available. The Mayor wanted to confirm this was still acceptable.

Treasurer's Report

- There were no changes to the bill lists, as presented. Mrs. Shirey noted the annual donations to the fire company, ambulance club, Conewago Garden Club and National Night Out were included in the bill lists. Mr. Dentler made a motion to approve payment of the bills. Mr. Kroft seconded his motion. All were in favor.
- Mrs. Shirey reported there was not enough money in the Wallace Fund to make the budgeted \$1,000 donation to the Dover Area Community Library. The borough would receive the income from the endowment this year, but not until the fall. She suggested the donation could be made from the General Fund and the Wallace Fund could reimburse this when the money is received. The council discussed this. Mr. Seidel made a motion to authorize payment of the donation to the Dover Area Community Library from the General Fund. The Wallace Fund would reimburse this after the income is received. Mr. Dentler seconded the motion. Under the question, Mrs. Koch asked if this was legitimate since the Wallace Fund is a special fund. Mrs. Shirey was instructed to check with Mr. Herrold to see if there were any legal issues with paying the donation now and reimbursing the General Fund when the money is received. If there is no problem she could pay the donation. All were in favor.

Old Business – None.

New Business

- The York County Boroughs Association would be holding their annual picnic on June 27. Anyone who wanted to make reservations should contact Mrs. Shirey.
- Mr. Lentz reported there had been complaints about cars parking on Butter Road for sporting events at Ketterman Park. They are parking along the road rather than using the parking lots. Drivers have difficulty seeing oncoming traffic when exiting Amberview Drive. Also, vehicles traveling east in this area must drive halfway into the westbound lane to avoid hitting cars parked along the curb. He asked the council for permission to request a traffic study in this area. He wants to request the traffic engineer approve no parking from the Ketterman Park parking lot driveway on Butter Road (beside 60

Butter Road) to Amberview Road. Children at Play signs were also suggested. Ms. Bishop suggested the traffic study should include the south side of Butter Road between the property at 48 Butter Road and the Greater Dover Dance Academy driveway. Vehicles parking there make it difficult for drivers to see exiting Meadow Road on to Butter Road. It was decided this area was not a concern at this time. Mr. Sabold suggested a letter could be sent to the sports teams using Ketterman Park requesting that they ask people attending the games to use the parking lots in the park or to park in Pro Pallet's parking lot which is adjacent to the park.

- Mrs. Koch noted she felt the mowing contractor did a poor job mowing along Park Street between South Main Street and City Hall Drive.

With no further business before them, Mr. Kroft offered a motion to adjourn. Mr. Hess seconded the motion and it carried with all in favor. The meeting adjourned at 8:35 pm.

Respectfully submitted,

Janet T. Shirey
Secretary/Treasurer