

MINUTES

The re-organizational meeting of Dover Borough Council was held at Borough Hall, 46 Butter Road on Monday, January 6, 2014 at 7:00 pm. Council members Romaine Bishop, Robert Dentler, Lori Koch, Andrew Kroft, Joseph Sabold, Todd Seidel and Thomas Slusser were present. Mayor Pope called the meeting to order. A moment of silent prayer followed.

Mayor Pope called for nominations for Council President. Mr. Dentler nominated Joseph Sabold. There were no other nominations. Mr. Kroft made a motion to appoint Joseph Sabold as Council President. Mr. Seidel seconded the motion. All were in favor.

Mayor Pope called for nominations for Council Vice-President. Mr. Seidel nominated Lori Koch. Mr. Slusser nominated Andrew Kroft. A written ballot was used with a result of 6 votes for Mrs. Koch and 1 vote for Mr. Kroft. Lori Koch was elected as Council Vice-President.

Mayor Pope yielded the floor to President Sabold.

Mr. Sabold called for nominations to appoint the borough solicitor. Mr. Seidel nominated John Herrold, of Griest, Himes, Herrold, Schaumann. There were no other nominations. All were in favor.

Mr. Sabold requested nominations for the borough engineer. Mr. Dentler nominated James R. Holley and Associates to continue serving as Borough Engineer. There were no other nominations. All were in favor.

Mr. Sabold called for nominations for secretary/treasurer. Mrs. Koch made a motion to reappoint Janet Shirey. There were no other nominations. All were in favor.

The December minutes were reviewed. Ms. Bishop made a motion to approve the December minutes as presented. Mr. Kroft seconded the motion. All were in favor.

PUBLIC COMMENT

Chief Flohr provided the fire company report.

- He provided a number of statistics about their activities during 2013. They responded to 292 calls, with 44 of those in the borough. Assisted 18 other fire companies and received assistance from 8. Averaged 9 firefighters per call. Spent 959 hours on calls and 1,245 training hours were logged. They responded to 20 brush fires, with a total of 441 hours.
- There are two new lieutenants. The fire police officers remained the same.
- There were no additions to the January calendar. Mr. Seidel made a motion to approve activities on the January calendar. Ms. Bishop seconded the motion and it carried.

Mr. Sabold thanked the fire company for all their work and stated that from what he is told, the Dover Borough fire department members are one of the most active, well-trained and professional departments in the area.

Kay Stitley, 204 Gross Avenue, was present as a representative of the Dover Borough Recreation Board and the Greater Dover Historical Society. She was concerned about a vote taken by the council at the December meeting. There had been discussion regarding whether the borough was celebrating the 150th or 250th anniversary. She claimed the borough celebrated the 200th anniversary in 1964. The 1764 founding date was used, rather than the 1864 incorporation date. She also had a petition, with 74 signatures, requesting the council change the anniversary date. She contacted several other municipalities and they use the founding date as the date they count from to celebrate their anniversary. She spoke to several other organizations who also felt it was advisable to use the founding date. She had several articles published in 1964 in which the celebration was referred to as the 200th anniversary. In addition, she was told that changing the date of the anniversary would cause the loss of history being attributed to the borough. Mrs. Stitley asked if the borough

council would consider rescinding their previous decision and use both the founding and incorporation dates to celebrate the anniversary. Mr. Sabold stated when the issue came up last month the council believed they should use the founding date for the anniversary because it was not called Dover Borough in 1764. The council discussed Mrs. Stitley's request and felt it was appropriate to use both dates. There was discussion about changing the date on the letterhead, signs or any other items that referred to the anniversary.

Elaine Kroft, 13 East Canal Street, was present to request the council pass resolutions for the fire company allowing them to serve alcohol at 300 Club dinners scheduled for April 19 and September 27, and a gun raffle on October 18, 2014. The Liquor Control Board requires all dates for the year for the Special Occasion Permit to be submitted on one application. Last year Mr. Herrold recommended one resolution should be adopted for each date. He presented Resolution 2014-02 for a 300 Club Dinner on April 19, 2014; Resolution 2014-03 for a 300 Club dinner on September 27, 2014 and Resolution 2014-04 for a Gun Raffle on October 18, 2014 authorizing Union Fire & Hose No. 1 of Dover to hold fundraising activities where they would be serving beer. Mr. Seidel made a motion to adopt Resolution 2014-02, 2014-03 and 2014-04, as outlined above, authorizing the fire company to apply for a Special Occasion Permit to allow them to serve alcohol at activities on April 19, September 27 and October 18, 2014. Mr. Dentler seconded his motion. All were in favor.

Elaine Kroft, 13 East Canal Street, asked how zoning issues are handled when the property owner does not live in the borough. She stated there have been property maintenance issues at 15 and 17 East Canal Street, such as the grass going weeks without being cut and snow or ice on the sidewalk not being addressed. Mrs. Shirey reported the property owner died suddenly and the property is for sale. Mr. Lentz stated if there are issues, Mrs. Kroft could contact him.

SEWER

Manager's Report

- PA DEP representative Shawn Arbaugh issued a fine for the spill in the creek in October. The initial fine was \$7,705. Mr. Lentz sent a letter questioning the fine and explaining the event in detail. Mr. Arbaugh responded and was willing to reduce the fine to \$5,545. Mr. Lentz requested a meeting with Mr. Arbaugh. He would like Dennis Sarpen, from Holley's office, to attend the meeting with him. Mr. Sabold asked if there was a deadline to pay the fine. Mr. Lentz reported it was 30 days from the initial letter. There had been no additional contact since Mr. Lentz requested the meeting. There was concern that the PA DEP could add penalties to the fine if it was not paid by the deadline, since there had been no confirmation from Mr. Arbaugh regarding a meeting. Mr. Lentz was asked to actively follow up on this. Mr. Seidel suggested the council should approve payment of a reduced fine amount, should it be necessary, prior to the next meeting to avoid penalties. Mr. Seidel made a motion to pay the reduced fine subject to further negotiation. Ms. Bishop seconded the motion. All were in favor.
- Mr. Lentz reported he received pictures of a catwalk from Schreiber, but no drawings.

Engineer's Report – Mr. Clark reviewed the information in the manhole meter reports he had supplied for the council. The results from Stony Lane would be compared to the results from the northern interceptor when Dover Township completes more of the work on their line. The one located below the football field showed spikes whenever there was rain. Another meter will be installed uphill from that one and moved one manhole at a time to narrow down the inflow.

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

Old Business – Mr. Sabold asked if Mr. Lentz followed up on the sump pump at 50 Mulberry Lane that the fire company reported was connected to the sewer. Mr. Lentz stated the property owner who claims it is piped to the storm sewer. He would visit the property to verify this.

New Business – None.

WATER

Manager's Report

- Mr. Lentz requested a meeting with the Water Committee to discuss installation of the water meters.
- A water leak was found in a repair band on the water main that passes under the bridge on South Main Street. It was tightened and the leak stopped.
- He is attempting to find another water leak. It may be on North Queen Street.

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

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

Old Business – None.

New Business – None.

BOROUGH

Manager's Report

- Mr. Lentz reported the bed of the dump truck came off while cindering during a snow event. Since the truck was already in bad condition, he did not feel it was worth the cost to repair it. He contacted Dover Township for help and they spread cinders for the borough during three storms. They will bill the borough for time and materials. A poly caster spreader was purchased and installed on the 2009 Ford, at a Costars price of \$7,359. It was used the first time during the winter storm this past Friday. It worked well. They did encounter a problem opening the doors on top when it needed to be refilled. Ropes were added to help pull the doors open and a six foot ladder was also purchased to help reach the top. They cleaned it as recommended to help prevent corrosion. Mr. Sabold suggested a letter should be sent to Dover Township thanking them for their assistance. Mrs. Shirey was asked to draft the letter.
- Mr. Lentz asked the council if they would consider paying him for overtime for snow plowing rather than accumulating more comp time than he can use. There have been several storms already and a hard winter is expected. He recalled that when he reverted from hourly to salary again the council said they could include a line item so he could be paid for overtime. Mr. Sabold suggested this should go before the Personnel Committee.
- Mr. Dentler asked Mr. Lentz if anything could be done about properties where snow was shoveled from sidewalks into the street. Melting snow cannot drain normally because of the mounds of snow and water pools in the street. He was specifically referring to 64 North Main Street, although other people were seen doing this also. Mr. Lentz stated Route 74 is a state road and he has no jurisdiction.
- Mr. Lentz filed a complaint with District Justice Eshbach for property maintenance issues at 75 South Main Street. Mrs. Koch asked about the time frame for action. Mr. Herrold stated the complaint is served on the defendant. The defendant then must enter a plea of guilty or not guilty. If he claims "not guilty", a hearing would be scheduled. Mr. Lentz reported Mr. Swords applied for a building permit to repair the garage, but he included no details about what he planned to do. Mr. Lentz stated the building permit would be sent to Commonwealth Code Inspection Service. The code inspector would have to approve the repairs before the project starts. There would also be inspections of the work as it progressed. Mr. Herrold noted the borough cannot tell Mr. Swords he must tear down the garage. If he wants to put the money into repairing it, the borough must allow him to do so.

Engineer's Report

- Mr. Clark stated the Community Development Block Grant (CDBG) project the borough received would be completed in 2014. He reported there are five commercial properties that are not eligible for sidewalk replacement using block grant funds. He wanted the council to think about how the sidewalks would be handled for these properties if they need to be replaced. Did the council plan to force them to replace their sidewalks at the same time? If so, he suggested the owner should receive as

much notice as possible. Some sections of these sidewalks are large and would cost thousands of dollars to replace. The property owners may be able to 'piggyback' on the borough's project, but they shouldn't have to pay prevailing wage which is required for the CDBG project.

- Mr. Clark noted the council should consider if they want to submit any projects for the next round of CDBG projects to be submitted this summer for the projects to be done in the next three years. Mr. Sabold referred to the Dover Borough code book. Chapter 135 – Streets and Sidewalks, Section 135-18 states the property owner receives 30 days' notice to repair sidewalks as specified in the notice. Section 135-23 states if the property owner does not perform the work, the borough can have it done and charge the property owner for the cost plus an additional 10%.

Solicitor's Report

- Mr. Herrold researched the procedure for reopening the budget. It can be found in Section 1312 of the PA Borough Code. The budget can be reopened in the January following a municipal election year and changes can be made. It must be re-advertised and available for public inspection for 10 days prior to adoption no later than February 15.
- Mr. Seidel asked if the is required to amend the budget if they want to purchase any additional police time. For example, if an unexpected expense comes up in the middle of the year. Mr. Herrold stated in this instance if the council knows they want to spend money that was not budgeted that they should amend the budget. Under normal circumstances, you should not spend money that wasn't budgeted. After the budget is approved, municipalities are limited to reallocating money within the existing budget. If you have the opportunity to amend the budget, that is the proper way to do it.

Police Report

- Mayor Pope reported there were 20 less calls in November, and 33 less calls for the year-to-date in 2013 compared to the same period last year.
- Matt Menges, Dover Township supervisor, told the chief and the mayor that he believed Dover Township would consider purchasing half a unit of additional police time.

Ambulance Club Report – No reports were received. Mr. Sabold if anyone wanted to fill Mr. Hess's position as the representative at the meetings. Mr. Slusser stated he was willing to volunteer for this.

Recreation Board Report – There was no meeting in December. Mr. Sabold asked about the results of the House Decorating Contest. The mayor could not recall the exact addresses. It was noted that there is still a vacancy on the board

Treasurer's Report

- Mrs. Shirey asked what funds the council wanted to use to pay the \$7,359 bill for the new spreader. She called the Penn DOT municipal representative to verify that Liquid Fuels money could be used to pay the entire cost. She pointed out that if the council chose to do this, the borough would not be spending the money allocated for a new truck from the General Fund, so that money could be allocated for something else. After some discussion, Mr. Kroft made a motion to pay \$6,000 of the cost from the Highway Aid Fund and the balance of \$1,359 from the General Fund. Mr. Seidel seconded the motion. All were in favor.
- The bill for Charlie's Repair Service, in the amount of \$370.03, was added to the General Fund Bills. Mr. Kroft made a motion to approve payment of the bills, as corrected. Mr. Dentler seconded and the motion carried.
- Mrs. Shirey was not able to reinvest the CD's as approved last month. When she contacted Susquehanna Bank to open them, she was told this offer was not available for 'public funds'. She contacted the Finance Committee. They were in agreement that the CD's should be reinvested at the next best interest rate, which was at Peoples Bank, at an interest rate of 0.6% for 10 months. The council needed to rescind the previous motion and then make a motion to confirm the actions of the Finance Committee. Mr. Kroft made a motion to rescind the motion made last month regarding the reinvestment of two CD's. Mrs. Koch seconded. All were in favor. Mr. Seidel made a motion to rollover the \$175,000 borough CD, and the sewer CD for \$100,000 at Peoples Bank for 10 months at a rate of

0.6%. Ms. Bishop seconded the motion and it carried unanimously. Mrs. Shirey noted the interest accrued was left in the CD's when they were reinvested.

- Ms. Bishop asked if the borough received a credit from Comcast because the internet at the WWTP did not work properly after it was installed. Mr. Lentz stated Comcast had not returned yet to correct the problem.
- Mr. Kroft asked Mrs. Shirey to elaborate on the General Fund bill for York County ATR for an Ice Rescue class. She stated Kevin Behr gave Mr. Lentz a bill for him and his son to attend, requesting it be paid before the end of 2013 from EMA funds. The council felt EMA expenses should not be paid unless the expense was approved by the council first. Mr. Kroft reported that Joel Behr, Kevin's son, was claiming he was the EMA Assistant Coordinator. Mr. Kroft was not aware the council had appointed an assistant coordinator. The council agreed they had not appointed an assistant coordinator. A discussion ensued regarding the EMA coordinator position. It was noted that Mr. Behr had been asked to attend the council meetings at least quarterly to give a report. He had not done this. Representatives from the fire company expressed frustration because communication with Mr. Behr was minimal. When the 5 year TMI decontamination drill was held Mr. Behr was not there. This was an important recertification exercise. Mr. Lentz and the mayor stated Mr. Behr communicated with them frequently whenever bad weather was predicted. Mr. Sabold stated he would contact Mr. Behr to discuss the above issues.

Old Business

- The issue of purchasing additional police time was opened for more discussion. If the council decided to allocate money for additional police time the budget would need to be reopened. Unfortunately the governor put a hold on awarding the grant until the end of January, so the council would not have a final answer before the deadline to amend the budget. The cost to purchase a full unit would be \$38,384. The mayor reported that Dover Township Supervisor Matt Menges told him he believed the township would purchase half a unit, but their board of supervisors would need to vote on it. The cost for the remaining half unit would be \$19,192. Mrs. Koch, Mr. Slusser and the mayor strongly encouraged the council to purchase the entire unit so the borough is closer to the recommended number of hours. Mrs. Shirey noted that if the grant was awarded to DASD, the cost would be less because it would be prorated for a partial year. There was additional discussion as to whether the borough should purchase the entire unit (10 hours) or only half a unit (5 hours). The main concern was the additional cost. Amending the budget to allow for an additional unit would change these items: 392.01-Transfer from General Fund Savings, adding \$38,500 for a new total of \$51,875 and 410.30-Police Services Contract, adding \$38,500 for a new total of \$288,000. Mr. Seidel made a motion to amend the budget for advertisement and adoption. Mr. Kroft seconded and the motion carried. The mayor asked the council if he should inform Chief Bentzel that Dover Borough would purchase half or the entire unit. Another discussion followed. Mr. Seidel made a motion for the borough to purchase up to an entire unit of police protection because the borough would benefit from a higher police presence. This decision was dependent on Dover Area School District receiving a grant for a School Resource Officer. Mr. Slusser seconded the motion. Six were in favor. Mr. Sabold was opposed.
- Discussion on the purchase of a new computer was reopened. Each quote included the monitor, Office 2013 and installation. Last month the council narrowed it down to two bids. Mrs. Shirey requested an additional quote from WPS to include a 500 GB hard drive, so the council could compare equal specifications in the two bids. The quote from WPS was \$1,436 for a Dell computer and \$1,653 from Affordable Computers for a custom built computer. Mr. Seidel made a motion to approve the purchase of the Dell computer from WPS at a cost of \$1,436. Mr. Dentler seconded the motion. Six were in favor. Mr. Kroft was opposed.

New Business

- A resolution honoring Jon Hess for his years of service as a councilman was offered for approval. Mr. Seidel made a motion to approve Resolution 2014-01 honoring Jonathan Hess for 8 years of service. Mrs. Koch seconded the motion. It carried with all in favor. It was signed by the council members and mayor.

- A request to waive the trash fee for 121 South Main Street was received from Ellen Shaffer. She and her husband also own the property directly next it, but it is in Dover Township. The Dover Township property has a dumpster and she requested the trash fee for 121 South Main Street be waived. They didn't see the need to pay for trash collection at both. The council discussed the request. The trash contract is based on the number of properties where trash is collected. If the fee is waived the borough will still have to pay for the service whether it is used or not. There was concern that this could set a precedent for other people to request a waiver. In light of this, Mr. Slusser made a motion to deny the request to waive the trash fee for 121 South Main Street. Mr. Dentler seconded the motion. All were in favor.
- Debora Leppo, the auditor elected in November for the four-year term, declined the position. A letter was sent to the other people who received nominations asking if they would be willing to fill the vacancy. Ursula Anstadt, Kristi Eckenrode, Jan Eisenhart and Robert Morgan were willing to serve. Ursula, Kristi and Jan were auditors last year. Lori Koch nominated Ursula Anstadt. Mr. Sabold nominated Jan Eisenhart. A vote was taken by show of hands. By a vote of 4 to 3, Ursula Anstadt was appointed to fill the four-year auditor vacancy.
- Mr. Lentz stated the full-time employees would like to meet with the council regarding the health insurance. An executive session was scheduled for January 14 at 7 pm.
- Ms. Bishop asked Mr. Lentz if the realtor had done anything about the tarp on the roof at 30 South Main Street discussed last month. Mr. Lentz had been told they would send their maintenance department to check on it. It did not appear anything had been done.

With no further business to discuss, a motion to adjourn was offered by Mr. Kroft, with a second by Ms. Bishop. All were in favor. The meeting adjourned at 10 pm.

Respectfully submitted,

Janet T. Shirey
Secretary/Treasurer