

## **MINUTES**

The regular monthly meeting of Dover Borough Council was held at Borough Hall, 46 Butter Road on Monday, May 5, 2014 at 7:00 pm. Mr. Slusser and Mayor Pope were absent. The remaining members were present. President Sabold called the meeting to order. This was followed by a moment of silent prayer.

The April minutes were reviewed.

- Page 2, Borough heading, Engineer's Report in the second line. The word 'sine' was misspelled and should be 'since'.
- Page 3, Borough heading, Recreation Board Report, fifth bullet item in the fourth line. 'a' should be inserted between 'be liability'.
- Page 1, Public Comment, second paragraph, in the third line. Ms. Bishop asked that the wording be revised. "Ms. Bishop reminded him that Mr. Seidel informed him at the last meeting . . ." The remainder of the sentence would stay the same.
- Page 2, under Borough, Manager's Report, third bullet item, at the end of the sixth line. Mr. Sabold suggested it should say 'spray on Rhino coat'. He stated there was a difference between a bed liner and a spray on coating.

Mr. Dentler made a motion to approve the April minutes, as corrected. Ms. Bishop seconded the motion. All were in favor.

## **PUBLIC COMMENT**

Tracy Kistner, 117 Cranbrook Drive, was present representing Eagle Lacrosse. They received a letter regarding concessions and field use during wet weather. There had been a turnover in leadership and they were unaware they had to request permission each year to sell concessions. In addition, she stated when it rains practices and games are cancelled or moved. They use the parking lot or go to North Salem Elementary School. There is a 3' x 3' bare area on the field currently. They would normally reseed this at the end of the season but Black Dog Lacrosse planned to begin using the field when the Eagle Lacrosse season ends. She suggested they could donate the seed and the bare spot could be reseeded when the field was no longer being used. She asked when Eagle Lacrosse should plan to request use of Ketterman Park for practices, games and permission to sell concessions. Also, did the council want a representative from Eagle Lacrosse to attend every meeting? Mr. Sabold stated it was not necessary to have someone attend every meeting, but someone should attend a council meeting prior to the beginning of the season to request the necessary permissions. Mrs. Shirey reminded the council they had assigned scheduling use of the park facilities to the Recreation Board. She suggested perhaps the council should clarify if sports teams must request permission from the council and/or the Recreation Board. After a brief discussion, the council decided scheduling use of the park facilities would remain the responsibility of the Recreation Board. Mrs. Kistner reported the Recreation Board gave Eagle Lacrosse permission to have cold concessions at their April meeting. She stated concession sales are the main way they raise money for the teams. Mr. Sabold stated he planned to reopen the issue for discussion later in the meeting. Mrs. Kistner requested the council inform her of the outcome.

Chief Flohr provided the fire company report.

- They responded to 28 calls in April, with 9 of those calls in the borough.
- A firefighter is going to the Fire Academy in Lewistown for training.
- The State Fire Marshall asked fire companies for assistance with enforcement of illegal lights. Flashing blue lights on top of the vehicle are legal, but lights on the dashboard or grill of vehicles are not.
- The name and signage for hazardous materials would change effective June 1, 2016. The United Nations took responsibility for establishing standardized worldwide laws. The purpose of the Global Harmonized System was to standardize the signs for hazardous materials around the world. Currently only Canada and the U.S. use the same system. The borough would need to comply with these changes.

- There were no additions to the calendar of activities for May. Mr. Seidel made a motion to approve the activities on the calendar for May. Mr. Dentler seconded the motion and it carried.
- While responding to a fire on City Hall Drive, a fire truck struck a tree to avoid hitting a boulder. They were attempting the left turn on City Hall Drive, between Butter Road and North Main Street, where it makes a turns left to North Main Street. The rock sits close to the edge of the road on the south side, and trees on the north side are at the edge of the street making it a difficult turn for trucks. Chief Flohr spoke to the property owner about moving the rock, but it has not been moved. He asked if the borough could have the property owner move the rock farther from the corner or if some trees could be removed from the north side to resolve the problem. Mr. Herrold asked if the rock is located within street right-of-way. Mr. Lentz believed the right-of-way was 16 feet, so it was likely the rock was in the right-of-way. Mr. Lentz would contact the property owners.

## **SEWER**

*Manager's Report* – Mr. Lentz had nothing to add to his report.

### *Engineer's Report*

- Mr. Clark reviewed the bid results for sewer repairs on North Main Street. The project was bid as two contracts. Contract # 1 was replacement of 14 sewer laterals. Contract # 2 was for cleaning, televising, installing 8" PVC Fold and Form liner and connecting the new laterals to the sewer main. There were four bids for Contract # 1. DeTraglia Excavating, Inc. had the low bid of \$41,720. There was only one bid for Contract # 2. Mr. Clark recommended rejecting Contract # 2 and rebidding it. He believed revising the bid with an alternate lining product would reduce the cost and encourage more bids. Mr. Dentler made a motion to award Contract # 1 to DeTraglia Excavating for \$41,720. Mr. Seidel seconded the motion. All were in favor. Mr. Seidel made a motion to reject the bid for Contract # 2 and rebid the contract with revisions. Ms. Bishop seconded and it carried.

*Solicitor's Report* – Nothing to report.

Mr. Seidel asked for additional details about the manhole overflow at the Delwood Lift Station on April 30. Mr. Lentz reported the pumps functioned normally, but there were 3.55 inches of rain in too short of a time for the pumps to keep up. Mr. Seidel asked if the borough would be fined. Mr. Lentz did not believe so, but the PA DEP was requiring him to send a letter explaining the event. Mr. Sabold noted there are infiltration problems in the Delwood development which contribute to this problem. Additional televising and rehab was discussed to improve the infiltration. Increasing the size of the sewer main between the lift station and the next downstream manhole was another suggestion to correct the problem.

Mr. Seidel asked where the flow meters were currently located. Mr. Lentz reported two of them were at the high school and one was in Delwood. He planned to download the data and move them to new locations.

*Old & New Business* – None.

## **WATER**

### *Manager's Report*

- There was a water leak at 4 North Main Street. The owner believed the leak was caused by the water meter change out. Mr. Lentz was able to download the usage history which showed the leak did not start until several days after the change out.
- While exercising water valves, a valve on Stony Lane broke. Due to the amount of pressure against this valve it would not be replaced until the water tower was drained for maintenance this summer.
- Replacement of the water meters was almost complete. Only 26 water meters remained to be done.
- Mr. Lentz checked with Bortner's and they would not reduce the price to install the meters.

*Engineer's Report* – Nothing to report.

*Solicitor's Report* – Nothing to report.  
*Old & New Business* – None.

## **BOROUGH**

### *Manager's Report*

- Mr. Lentz reported the Zoning Hearing Board approved a Special Exception for a store upgrade for the Rutter's on East Canal Street. A copy of the proposed plan was passed for the council to review. Mr. Herrold asked Mr. Lentz if Rutter's submitted a land development plan, and they had not. Mr. Herrold advised Mr. Lentz to contact Rutter's as soon as possible and tell them the permit was on hold until a land development plan is submitted. Since Mr. Lentz was scheduled to be out of the office the next two days, he excused himself from the meeting and attempted to contact someone. Mr. Sabold decided to move on until Mr. Lentz returned.

### *Solicitor's Report*

- Mr. Herrold contacted Angie Yingling's attorney for an update on the building permit appeal *for a permit issued to Pizza Express*. Mr. Milakovic informed him that the deed search showed the alley in question was not a public alley. They would waive this item in the appeal. Mr. Milakovic had heard nothing from Ms. Yingling, so he did not have any information regarding the results of the survey. He thought the appeal may be dropped due to lack of action by Ms. Yingling.
- Mr. Herrold reviewed the lease agreement for the fire company. He contacted Troy Dettinger with some recommendations.
- He reviewed information regarding a request from the York County Planning Commission (YCPC) asking the borough to pass a resolution adopting the York County Hazard Mitigation Plan. If the borough did not adopt the York County Hazard Mitigation Plan, we would need to develop an individual plan. Mr. Herrold believed it made sense to participate in the York County Plan.

### *Manager's Report Cont'd*

- Mr. Lentz reported he left messages for two individuals about the Rutter's plan.
- Ms. Bishop asked if letters were sent to the businesses on North Main Street regarding replacing their sidewalks. Mr. Lentz stated he had not because he received an email from the YCPC stating additional CDBG money would be available to supplement the cost for the commercial properties. They asked him to send letters to the commercial properties and ask for donations to help with the cost. Mr. Clark explained that to qualify for this, at least 51% of the project must benefit residential properties. The commercial properties made up only 38% of the project.

### *Engineer's Report*

- Mr. Clark reported he and Mr. Lentz walked areas in the borough to see if there were any additional sidewalks that might qualify for the next round of CDBG projects. They suggested two areas: The west side of South Main Street from the square to the bottom of the hill and Meadow Road. Mr. Clark asked if there were any other projects the council would want him to include in the CDBG application. There were several suggestions: 1) South Main Street on the west side, south of the bridge. 2) The north side of Butter Road, between City Hall Drive and Allen Lane.
- If the council wants to submit an application for another CDBG project, Mr. Clark would need a resolution to include with the application. He would send the sample resolution to Mrs. Shirey so she could prepare it for the next meeting.
- Mr. Clark suggested the council consider including a narrow grass strip, on the curb side, as part of the CDBG sidewalk project on North Main Street. This would have several benefits. First, there are a lot of signs along Main Street, so installing them would be easier in the grass strip. Second, it would give a more uniform appearance since the sidewalk width varies. Third, it would reduce the job cost due to less sidewalk square footage.

- Mr. Clark completed the drawing for the planter specifications, but he had not sent it to Mr. Lentz for review. He would have it for the next meeting. Mr. Sabold asked if Vo-tech or Kinsley students do projects like this. Mr. Clark stated he would check with a contact at Kinsley.

Mr. Herrold, Mr. Clark and Mr. Lentz were excused.

*Police Report* – The monthly report was reviewed in the mayor’s absence.

*Ambulance Club Report* – The monthly reports were reviewed in Mr. Slusser’s absence.

*Recreation Board Report* – The minutes were reviewed in the mayor’s absence. Mr. Dentler reported the Egg Hunt went well. Planning for both Sundaes in the Park was completed.

*Treasurer’s Report* – There were no changes to the bill lists. Mr. Kroft made a motion to approve payment of the bills. The motion was seconded by Mr. Dentler and all were in favor.

*Old Business* – Doceo contacted Mrs. Shirey again about the copier proposal they submitted recently. The council was not in favor of replacing the copier at this time.

#### *New Business*

- Mr. Sabold stated he wanted to reopen discussion regarding food sales in the park from last month. One of the reasons he abstained on the vote was because he wanted to review the rules and regulations. Based on the definition of soliciting, the sports teams would not be required to get a permit. They would be under an exemption – “Public or charitable activities in which the municipality is a participant, the activities being conducted for the enjoyment and well-being of the community.” (Code of the Borough of Dover, Chapter 113-4 – Exemptions, in Peddling and Soliciting). He then referred to Chapter 109-20 - Soliciting and sales, in Park Rules and Regulations. “The soliciting, posting of signs, distribution, sale, servicing or rental of any supplies, food or equipment is prohibited. Such activities shall be conducted only by persons authorized to perform such functions by Dover Borough Council.” He did not feel the council could say it was not allowed. In addition, this is the main way sports teams raise money. The council was in agreement that this exemption does not apply to concession trailers selling food. They would need a permit. The issue of gas grills and fryers was debated. Based on his experience as a firefighter, Mr. Kroft recommended fryers should not be allowed due to the risk of burns from hot grease. He also stated dripping grease in gas grills causes flare-ups which are also dangerous. He suggested the use of grills be limited to portable, flameless grills. It was suggested that it would be worthwhile to create written instructions, which includes the park rules and any other requirements. A separate one would be created for individuals who reserve facilities in the park. Both would require signatures. Mrs. Shirey would contact other municipalities for samples.
- Northern York County Regional Police Officers’ Association was hosting “A Tribute to Jimmy Buffet” at 7 pm on Saturday, May 24 at the Dover High School auditorium. They provided a block of 15 tickets for the borough. Anyone interested in attending should contact Mrs. Shirey for tickets.
- The resolution to adopt the York County Hazard Mitigation Plan was presented. As suggested by Mr. Herrold, it would be logical to adopt the county plan rather than the borough drafting an individual plan. Mr. Kroft made a motion to adopt Resolution 2014-05, adopting the York County Hazard Mitigation Plan. Ms. Bishop seconded and the motion carried with all in favor.

With no further business to discuss, Mr. Seidel made a motion to adjourn with a second by Mr. Kroft. All were in favor. The meeting adjourned at 8:58 pm.

Respectfully submitted,

Janet T. Shirey  
Secretary/Treasurer