

MINUTES

The regular monthly meeting of Dover Borough Council was held at Borough Hall, 46 Butter Road on Monday, August 4, 2014 at 7:00 pm. Mrs. Koch was absent due to vacation. The remaining council members and mayor were present. President Sabold called the meeting to order. A moment of silent prayer followed.

The July 7 regular meeting minutes were reviewed. There were no additions or changes. Mr. Dentler made a motion to approve the minutes, as presented. Mr. Kroft seconded and the motion carried.

The July 29 special meeting minutes were reviewed. Ms. Bishop requested a sentence be added on the first page, in the fourth bullet item. It would elaborate further on Mr. Kole's response to Ms. Bishop's comment. She felt it should include something to the effect that Mr. Kole stated some doctors threaten to stop participating as a ploy to get the insurance companies to increase their reimbursement amount. Ms. Bishop made a motion to approve the July 29 special meeting minutes, as corrected. Mr. Seidel seconded the motion. All were in favor.

PUBLIC COMMENT

Chief Flohr provided the fire company report.

- They responded to 15 calls in July. Three of those calls were in the borough. There was a \$3,000 loss.
- The August calendar was reviewed. Chief Flohr highlighted several items: 8/9 – A fire truck and fire fighters would be at Sarah's Creamery; 8/16 – they would participate in the York County Firefighters Convention being held in West York and in the evening they would provide standby during the Wellsville Carnival; and 8/31 will be the first day of their annual carnival. Mr. Seidel offered the motion to approve the activities on the August calendar. Mr. Slusser seconded the motion. It carried with all in favor.
- National Night Out will be held tomorrow night on the fire company grounds.
- Mrs. Kroft stated volunteers are still needed to help with bingo at the carnival.
- Ms. Bishop asked if Texas Eastern checked on the reported recreational fire discussed last month. The chief reported Texas Eastern had contacted the property owner.

Neal Metzger, with LSC Design, was present to request preliminary/final approval of the land development plan to upgrade the Rutter's store at 35 East Canal Street. This store was opened in 1975 or 1976. He provided a copy of the plan for the council members to review. The upgrade would include replacing the underground tanks with a new double wall computerized system. There would be three fuel pumps, increased from the two existing, to allow for the sale of diesel. A 460 square foot addition would be added to the rear of the building. It would include a public restroom and additional storage. There would be a minor expansion of the parking area. The dumpster would be placed on a concrete pad and a PVC fence would be added to shield it. The HVAC system would be moved from behind the building to the roof and would be screened. The facade would also be updated. Stormwater management quality measures would be implemented. These would capture grit and floatable grease and oil. They made the changes recommended by the YCPC and the borough's planning commission. They also met with a representative from the borough engineer's office and the borough manager at the site. Mr. Metzger was requesting a conditional approval. They were requesting a waiver from the stormwater management ordinance Section 133-15. They would be adding about 985 square feet of impervious area. The waiver would allow this minor increase in impervious surface stormwater quantity to be waived. The quality component would not be waived. They would pay a fee per square foot in lieu of the waiver. Rutter's would like to start the project this month. The remodel was expected to take a month to a month and a half and the store would be closed during that time. Mr. Seidel, chairman of the Planning Commission, stated they recommended the plan to the council pending the engineer's office approval of items discussed at the meeting. He noted the east side of the parking lot had an existing rolled curb and a guardrail to prevent vehicles or people from unintentionally entering the swale, which borders the east side of the parking lot. Rutter's had suggested a sidewalk instead. The planning commission felt it was prudent to keep

the same type of existing border to prevent accidents. Mr. Sabold asked if a security fence would be installed during the construction, since there would be open trenches. Mr. Metzger stated S & W Petroleum was the contractor replacing the tank. They specialize in this type of work. He believed they would install temporary fencing while any trenches are open. Mr. Seidel presented the motion to recommend conditional approval of the Rutter's plan, provided they submit it with the correct signatures. Mr. Slusser seconded and all were in favor. Mr. Kroft made a motion to grant a waiver of the runoff quantity control for stormwater management based on Section 133-15 of the Dover Borough Code. Mr. Seidel gave the second and all were in favor.

Robert Conley, owner of 21 North Main Street, stated he was present for a hearing. Mr. Herrold stated the building permit appeal hearing was scheduled for Tuesday, August 12, 2014. Mr. Conley stated he received a call today asking if he planned to attend a hearing this evening. Mrs. Shirey stated she was the one who called. She explained that Mr. Conley's tenant, Jack Smith, applied for the building permit that Angie Yingling was appealing. Since Mr. Smith closed the business, and no longer wants the permit, the borough needed to determine if Mr. Conley wanted to pursue or withdraw the permit. If he withdraws the permit, the hearing could be cancelled. Her message had requested an answer by this evening. Mr. Conley stated he wanted to proceed with the permit. He would attend the appeal hearing next week.

SEWER

Manager's Report

- The PLC system programming was lost again due to a lightning strike. Mr. Lentz obtained a quote from R. L. Snelbecker Electric to install a UPS back-up system in the control panel, at a cost of \$470. This should protect against the problem in the future. He was asked if there are surge protectors in place. Mr. Lentz reported there were surge protectors on all the new lines installed during the upgrade. Mr. Slusser made a motion to approve the quote to install the UPS system, at a cost of \$470. Mr. Seidel seconded. All were in favor.
- Mr. Lentz stated the expense to install a fence around the Delwood lift station was budgeted for 2014. He asked if he could get quotes for this and to repair the section of fence at the WWTP that was damaged during the February ice storm. There were no objections.
- Mr. Seidel asked Mr. Lentz if there were reports on data downloaded from the flow meters. Mr. Clark stated some of the data had inconsistencies that could not be explained. The batteries were changed in the meters and they appeared to be functioning. It was noted they had been returned for maintenance and had some repairs. Was it possible they were not functioning correctly?
- Ms. Bishop asked if there was any progress on adding a catwalk to a tank at the WWTP. Mr. Lentz stated there was no new information. They had used a manhole ladder as a temporary measure. Mr. Clark stated he made a note to check with his office for suggestions.

Engineer's Report – Mr. Clark reported Mr. Rehab completed slip-lining the sewer main on North Main Street. The request for payment, in the amount of \$22,634.34, was included in the bills. He expected Detraglia Excavating to begin replacing the laterals shortly.

Solicitor's Report – Nothing to report.

Old Business – Mr. Sabold asked what was found when the Locust Lane sewer main was televised. Mr. Lentz reported that rather than a lamp hole at the end of the main, it connects directly to a sewer lateral. Due to this, sliplining cannot be used to repair the leak. He and Mr. Clark will discuss options.

New Business – The PRWA contacted Mrs. Shirey to ask if the borough would like to refinance any loans or borrow money for any projects. They could not offer a lower interest rate for the 2004 loan than the current 2.2% rate. The 2009 loan interest rate was currently 2.85%. They could offer 2.5% on this loan, with scaled increases twice during the loan period. A reduction of 0.35% in the interest rate would save thousands of dollars in interest. Financial information would need to be provided before they would provide a formal proposal. There was no objection to getting a proposal to evaluate the potential savings.

WATER

Manager's Report

- Mr. Lentz asked the Water Committee about the status of the delinquent policy. He believed money was going uncollected because there was not a written policy. A number of months ago Mr. Seidel stated he was drafting a sample for the council to review. It was noted that the members of the committee changed since then. The new committee members agreed they would need to meet to review this.
- Mr. Kroft asked if the TClarity transmitter for the water meter at the fire company was still active. Mr. Lentz reported the TClarity transmitters had not been replaced on the large water meters yet, so the transmitter was still active.
- Mr. Lentz deferred to Mr. Herrold to provide an update on the proposed well site property. Mr. Herrold explained that in 1965 when Paul Gross owned the land, he built a housing development named Greenfield Heights. Conditions and restrictions were placed on the lots and recorded on the plans. The proposed new well location was on an undeveloped plot within the boundaries of the original development. Condition # 3 stated that only a house with a private garage could be built on the lots. Condition # 7 stated that the lots were to be used for residential use only and no business, commercial or manufacturing buildings were allowed. There was also a provision allowing lot owners of Greenfield Heights to prohibit buildings or seek damages for the violation of the conditions or covenants. These items were placed on developments prior to the existence of zoning codes. It was likely that the majority of current lot owners were aware of the conditions or covenants, but waivers may be needed from the current property owners. Mr. Herrold stated if these were not on the plan on record that the conditions and covenants would not be an issue. Mr. Seidel asked if 'eminent domain' would apply. Mr. Herrold did not believe it would. The borough could proceed with drilling a test well. Ultimately, Rutter's would purchase the land and give it to the borough. They would pay the legal costs to research any issues to get clear title. If this occurs, Mr. Herrold would recommend the borough require a title certification. If the test well proves the site is not viable for the new well, the issue of purchasing the land was a moot point.

Engineer's Report – Nothing to report.

Solicitor's Report – Nothing further to report.

Old & New Business – None.

BOROUGH

Manager's Report

- There was a storm inlet at Delwood Drive and East Canal Street that should be replaced. Mr. Lentz would get a quote.
- Ms. Bishop asked George Harlacher, 4 Willow Run Road, if the work done on the swale at the rear of his property had improved the erosion problem. He stated it had, but north of that area was backing up. Mr. Harlacher stated when the Rutter's was originally built they installed erosion prevention measures. It was suggested that Rutter's could address this during the store upgrade.
- Mr. Lentz provided a quote from D. E. Gemmill to install Thermoplastic crosswalk lines at the square and the crosswalks on North Main Street at Mayfield Street and Butter Road, at a cost of \$2,295.54. If the crosswalks are done with paint, the cost would be about \$2,000. It was noted that the Thermoplastic product would last 2 or 3 years. The painted version does not last one year. He also obtained a quote to have the parking stall spaces repainted on Main and Canal Streets. The additional cost for this was \$962. The total for both projects would be \$3,257.54. Mr. Seidel made a motion to accept the quote from D. E. Gemmill to install Thermoplastic crosswalks and repaint parking stalls, at a cost of \$3,257.54. Mr. Dentler seconded his motion. It carried with all in favor. It was suggested that Liquid Fuels money could be used to pay for the crosswalk portion of the cost. Acceptable Liquid Fuels

expenses were reviewed to see if the crosswalks were an allowed expense. It did not appear that they were.

- Mr. Lentz stated the flooring in the lobby and bathrooms, at the borough office, were budgeted to be replaced this year. He asked if the Building and Grounds Committee wanted to make the recommendation to the council for the new flooring. Mr. Lentz was asked to get samples and quotes for something in a neutral color.
- Mr. Dentler reported there were several dead or damaged trees in Ketterman Park. He felt they should be cut down prior to the anniversary celebration. The council debated having a tree service do the work versus the public works employees. Mr. Kroft made a motion for the borough manager to determine if it was safe for the borough employees to take down the trees. If not, he could contact a tree service to take them down. Mr. Seidel seconded. Under the question, the cost of the work was debated. After this discussion, Mr. Kroft and Mr. Seidel rescinded their motions.

Engineer's Report

- Mr. Clark reported he was able to get the names of several people to repair the planters at the square.
- He got three phone quotes for base repair and crack sealing. 1) Stewart and Tate - \$18,933.25. 2) Kinsley Construction, Inc. - \$19,420. 3) H & H General Excavating Co., Inc. - \$20,125. Mr. Clark noted he added a few more areas so the quantity of base repair was increased from the original street work bid specs. Mr. Seidel made a motion to approve the bid by Stewart and Tate, at a cost of \$18,933.25. Mr. Slusser seconded and the motion carried.
- The CDBG sidewalk project should begin in September. A public meeting was required. This could be done at the beginning of the next council meeting on September 8. In addition, he recommended starting the project at the same point on both sides of the street for uniformity. Mr. Lentz sent letters to the commercial properties requesting they contribute toward the cost. There had been no response from any businesses yet. Mr. Sabold asked Mr. Lentz to follow up with them.

Solicitor's Report

- Mr. Herrold reported he sent an email to the solicitor for Dover Area School District regarding damage to Edgeway Road and Fairview Avenue during the remodeling of Dover Elementary School. The school district was requesting detailed information to substantiate the borough's damage claim. Mr. Herrold emailed Mr. Clark and asked that the engineer's office provide copies of any documentation. Mr. Lentz recalled the school district was told they would be responsible for any damage to the streets during a Planning Commission and/or Zoning Hearing Board. He would check the minutes from these meetings. Mr. Lentz had been told Holley's office had taken pictures of the streets before the elementary school project started. He discovered John Hertzog only took pictures of the curbs and sidewalks, none of either street; however, Mr. Hertzog was the inspector and had firsthand knowledge of the condition of the streets prior to and after the construction.
- All MS4 municipalities must adopt a pollution reduction plan for the Chesapeake Bay. The York County Planning Commission (YCPC) proposed all of the municipalities in the county participate in an intermunicipal plan, which would reduce the cost for everyone involved. The cost for the borough would be \$646 per year for five years, for a total of \$3,240. The cost to create an individual plan would be significantly more. A resolution was required stating whether each municipality chose to 'opt-in' or 'opt-out' of the York County agreement. Mr. Herrold recommended the borough 'opt-in'. The YCPC provided a draft resolution that was adapted for the borough. Mr. Seidel offered a motion to adopt Resolution 2014-07 and 'Opt-In' to the resolution titled *Municipal Election to "Opt In" or to "Opt-out" of the York County Regional Chesapeake Bay Pollutant Reduction Plan*. Mr. Kroft seconded the motion. All were in favor. An ordinance would be adopted later authorizing the intermunicipal agreement.

Police Report

- Mayor Pope reported there was one more call in June, and six less calls for the year-to-date compared to the same period last year.
- He would have the proposed 2015 police budget for the September meeting.

Ambulance Club Report - Mr. Slusser met with Peggy Durnin recently. Things are running smoothly. A decision whether or not to implement an Advanced Life Support (ALS) unit was still pending.

Recreation Board Report

- Mayor Pope asked the council members to let him know if they planned to participate in the anniversary parade. He was scheduling vehicles for them to ride in. Mr. Sabold would be out of town.
- The mayor asked for an update on replacement of the banners. Mrs. Koch had been working on this, but no one knew the status. It was tabled until the next meeting when Mrs. Koch would be present.
- York County Prison female inmates were scheduled to perform community service cleaning up in Ketterman Park. They would be picking up trash and debris, pulling weeds, mulching flower beds and anything else needed to help the park look nice for the August 23 anniversary celebration. If there is enough time, they will also pull weeds and grass in sidewalks and curbs along Canal Street. Mr. Sabold was concerned residents would not understand it was their responsibility if the borough had it done. The borough has an ordinance stating it's the property owners' responsibility. He stated violation notices need to be sent beginning earlier in the season and recheck for violations regularly throughout the growing season. Mr. Lentz noted the anniversary was a special event and it was important for the borough to look nice. The mayor noted Hanover Borough uses the prisoners to do clean up in their square once a month. It makes sense for municipalities to use this free labor for projects that they might normally have to pay a contractor.
- Plans for the anniversary were progressing well. There were several bands scheduled to play. Chinese lanterns would be set off at dusk.
- The mayor reported members of the Rec Board were getting complaints that more activities were not planned. He believed they were doing what they could with the time and money available. Mr. Sabold stated the Rec Board had done a lot and the council appreciated their efforts. He realized the council should have done more.
- Wray Bassett resigned from the board. There were two vacancies to be filled.
- Representative Seth Grove asked the mayor to invite the council to the bridge dedication on Monday, August 18 at 10 a.m. The bridge on South Main Street would be dedicated to the memory of Sergeant First Class Brett Wallen who died in Iraq in August 2005.
- Ms. Bishop asked if it was appropriate to discuss playground mulch under the Rec Board Report or under new business as it concerned the 250th anniversary celebration. Mr. Lentz would plan to do this.
- An artist went around the borough and took pictures of some of the historic buildings and created paintings of them. The mayor stated they are very beautiful. The artist will have prints available for sale in the park.
- National Night Out is tomorrow night from 6 to 9 p.m. at the fire company.

Treasurer's Report - There were no additions or changes to the bill lists. Mr. Dentler made a motion to approve payment of the bills, as presented. Mr. Slusser seconded the motion and it carried.

Old Business - None.

New Business - Ms. Bishop reported there is a raised area in the play area between the parking lots at Ketterman Park. She asked if the mulch would be replenished there also. Mr. Lentz stated the mulch could be replenished, but he thought the existing mulch may just need to be raked.

With no further business to discuss, Mr. Kroft made the motion to adjourn with a second by Mr. Seidel. All were in favor. The meeting adjourned at 9:25 pm.

Respectfully submitted,

Janet T. Shirey
Secretary/Treasurer