

## **MINUTES**

The regular monthly meeting of Dover Borough Council was held at Borough Hall, 46 Butter Road on Monday, September 8, 2014 at 7:00 pm. All members were present. President Sabold called the meeting to order. A moment of silent prayer followed.

President Sabold stated that Janet Shirey provided two-week notice of resignation from her position as Borough Secretary/Treasurer effective September 4, 2014. He would entertain a motion that Rebecca Hartzler be appointed acting Borough Secretary/Treasurer. Mr. Seidel made a motion to appoint Rebecca Hartzler as acting Borough Secretary/Treasurer. It was seconded by Ms. Bishop. All were in favor.

President Sabold stated the regular meeting would be suspended to open a Public Meeting to present information about a grant. He yielded the floor to Mr. Mark Clark, Borough Engineer who introduced Wanda Montalvo, York County Planning Commission Co-coordinator of the project. Funds would be released through the county and HUD (Housing and Urban Development). Mr. Clark stated the borough has been awarded a CDBG grant for improvement of sidewalks. The proposed work would include the west side of North Main St. from the square up to Mayfield St. and from the square up to Butter Rd. on the east side of North Main St. There would be a 2-foot "green space" included in the improved area. A question was raised regarding the maintenance and appearance of the green space and could there be regulations in place requiring the property owners to keep it mowed and weeded. Mr. Lentz felt this was a property maintenance issue which would fall under the existing borough code. Mr. Clark mentioned the general appearance would be greatly improved on N. Main St. because of uniformity and repair of the deteriorated sidewalks. With no further questions, Mr. Clark yielded the floor to President Sabold for the continuation of the regular meeting.

The August minutes were reviewed. Ms. Bishop requested a correction under the Recreation Board Report, 3<sup>rd</sup> bullet point from the bottom, first sentence. It should read "Ms. Bishop asked if it was appropriate to discuss playground mulch under the Rec Board Report or under new business as it concerned the 250<sup>th</sup> anniversary celebration." Mrs. Koch noted that under Water, Manager's Report, third bullet point, near the end of the paragraph, the word "imminent" should be "eminent". Mr. Dentler made a motion to approve the August 4th minutes, as corrected. Mr. Slusser seconded the motion. All were in favor.

## **PUBLIC COMMENT**

Chief Flohr provided the fire company report.

- They responded to 18 calls in August. 5 of those calls were in the borough. There were no losses.
- Chief Flohr reported the annual carnival was a success. He wished to thank everyone for their help. Several members of council, employees and their spouses had volunteered during the week. A member of the public had been injured as a result of falling, but there was no negligence on the part of the fire company. The Friday evening show featuring Jesse Garron as Elvis was very well-attended again.
- There were no additions to the calendar. The fire company has been invited to attend a 9/11 parade at the York Fairgrounds. Chief Flohr was unsure if anyone would attend. October would be a very busy month with the Halloween Parade, Fire Prevention Week, and a car show planned. President Sabold expressed the council's appreciation for all the work the fire company does in the community. Mayor Pope thanked the fire company for their assistance with the parade, pancake breakfast and lantern lighting at the 250<sup>th</sup> Anniversary Celebration. Chief Flohr stated there was an amazing turn-out for the Saturday morning pancake breakfast; much higher than their regularly scheduled pancake breakfasts. It was noted the parade was very well-attended despite the rain. Mr. Seidel made the motion to approve the activities on the September calendar. Ms. Bishop seconded the motion and it carried.

Barbara Schrum, owner of Shoppe American Made at 55 W. Canal St., was present to raise her concern about the appearance of the town. She walks every day and sees many properties that are unattractive with accumulated junk, particularly on Main St. She wondered if there is anything that can be done to address the property

maintenance issues. She suggested community groups or high school students may be enlisted to help. Mr. Seidel questioned if the problem was with homes or sidewalks. Mrs. Schrum indicated her concern was mainly with junk and refuse accumulating. A discussion followed regarding the existing Dover Borough maintenance ordinance. Mr. Lentz read an extended portion of the ordinance. Mr. Seidel stated that legislation must apply to all residents equally and there is difficulty qualifying what constitutes "junk". The condition of the property at 13 Butter Rd. was discussed and Mr. Lentz mentioned the property is on his list of maintenance issues to address. Chief Flohr stated the fire company sees the inside of many homes and the conditions inside are often much worse than outside. Assistant Chief Troy Dettinger stated the fire company has no enforcement authority in the borough unless it's at the direction of the borough manager. He advised that West York Borough employs 3 full-time firefighters who are also code enforcement officers. Mr. Seidel suggested Mr. Lentz check how that process works for them. There was further discussion about the options available to enforce the existing property maintenance ordinance, including the legal process. President Sabold suggested Mr. Lentz could send letters to landlords, with a copy of the ordinance, indicating the borough will be enforcing the code and see if this produces action to clean-up some properties. If nothing happens, the borough will proceed with the legal process. There is an ongoing dilemma with property owners responding to violation notifications by complying within the allowed time period only to have the same conditions develop again. The enforcement process must be re-started in this situation. Mr. Kroft stated the borough manager cannot fine residents; this is done through charges filed with the district magistrate. President Sabold indicated council understood the concerns presented and would use the information to pursue a project to enforce property maintenance.

Darwin Frey, 56 Amberview Dr., asked when the phone call was made to Met-Ed regarding the issue of installing a streetlight at the end of Butter Rd. Mayor Pope responded that he had been in contact with Met-Ed. They are reviewing whether a streetlight could be installed on the existing pole in addition to all the lines that are already attached. Mayor Pope will be meeting with them at the site in the coming weeks.

Mr. Lentz read a letter from the Dover Area High School Student Council requesting permission to hold a Homecoming Parade on Friday, October 17, 2014 using the same route as in previous years. It begins at 6 p.m. and should be over by 6:30 p.m. at the latest. Mr. Seidel made a motion to grant permission for the DASD Homecoming Parade on October 17, 2014 following the normal route, with the school obtaining the necessary approvals. Mr. Slusser seconded the motion and all were in favor.

## **SEWER**

### *Manager's Report*

- Mr. Lentz reported there is 1 lateral replacement left to do on N. Main St. at the Calvary Lutheran Church parsonage.
- H & H General Excavating provided a price not to exceed \$1,600 for the spot repair needed on Locust Lane. It is a 2 or 3 foot section of old truss pipe and the time estimated is 8 hours. Mr. Kroft made the motion to approve the Locust Lane repair at a price not to exceed \$1,600 by H & H General Excavating. Mr. Dentler seconded and the motion carried.
- DEP approved the Corrective Action Plan for flows at the Delwood lift station. Mr. Sabold requested that Mr. Lentz and Mr. Clark set-up a calendar to make sure the timeline is followed. The schedule will depend on the weather.
- Chuck Farley, Public Works Operator for Dover Twp. enquired if the borough would be willing to take additional flows into the N. Main St. interceptor. Several commercial properties north of the borough are considering expansions. President Sabold questioned whether the borough would be allowed to do this with the CAP in place. Mr. Clark responded that the only restriction by DEP pertains to the Delwood Development. Mr. Seidel stated the borough would need to know the amount of anticipated flows involved. He felt Dover Township could use the income from commercial property development to fund the sewer line repairs and proposed interceptor. The existing agreement with Dover Township for inspection and repairs of the sewer lines north of the borough was discussed, including the timeline for Tasks 1 and 2 which have not been completed to date. Mr. Lentz will request more information regarding the anticipated flows as well as follow-up regarding the timeline for the existing agreement.

*Engineer's Report*

- Mr. Clark requested prices from Heisey Mechanical in Columbia and Kottcamp in York for the 2015 Budget to install a 4-foot catwalk on Tank #3 at the WWTP. He felt the best approach was a "design build" with the borough preparing design standards and the contractor advising what materials are needed for the catwalk to be built in place. Both contractors have done this type of work before. Mr. Sabold asked if 4 feet was the usual width and Mr. Clark responded that either 3-foot or 4-foot can be done.
- Mr. Clark indicated money would need to be budgeted in 2015 for work required at the Delwood lift station under the CAP. DEP wanted firm figures and approved the agreement as presented.

*Solicitor's Report* – Nothing to report.

*Old Business & New Business* – Nothing to discuss.

**WATER***Manager's Report*

- The Susquehanna River Basin Commission will not be reviewing the Well #4 replacement project since the borough system does not pump over one million gallons a day.
- Justin Shappell had informed Mr. Lentz that the agreement to drill a temporary well on Dale Forry's land on Meadow Rd. is being finalized by the attorneys involved. Drilling is scheduled to begin November 1. If the yield is sufficient, it would be about 12 months until the new well came on-line.
- Mr. Lentz reported the ability to download data log history was working well when people question higher usage on their water bill. All the new water meters are installed, but replacing the approximately 20 radio transmitters on the old large meters is an item to be considered for the 2015 Budget. They cannot be read with Master Meter's reading system. Mrs. Koch asked if a fee is charged for providing data log history reports. This is not currently being done, but could be considered as a fee for service provided.
- Mr. Seidel questioned how the damage occurred to the doorknob at Well #6. Mr. Lentz stated it was not vandalism, just wear on the knob.

*Engineer's Report* – Nothing to report.

*Solicitor's Report* – Mr. Herrold reported there are restrictions on the property where the new well is being drilled. He made it very clear to counsel for Rutter's that the borough would require a clean title report certifying no restrictions affecting the property before we would assume the title.

*Old Business* – Mr. Seidel stated the Water Committee had not met to review and update the billing policy.

*New Business* – Nothing to discuss.

**BOROUGH***Manager's Report*

- Mr. Lentz wished to recognize Tom Lamparter for donating his time and transportation to bring safety mulch from Middletown, PA to Ketterman Park for the Tot Lots. A thank you letter will be sent.
- Seth Grove will be holding a Town Meeting at the borough office on Thursday, October 16, 2014.
- Mr. Lentz obtained an estimate of \$1,100 from TLM Flooring (Troy Mundis) for replacement of the flooring in the office lobby with linoleum. This work was budgeted for 2014. The size of the material required was discussed and Mr. Lentz was instructed to obtain more quotes as well as manufacturers' descriptions of the products being proposed.
- Mr. Slusser commended Mr. Lentz and the laborers on their work preparing the borough for the 250<sup>th</sup> Anniversary Celebration. Mr. Lentz thanked him and would pass the commendation along to the others.

*Engineer's Report* – Mr. Sabold asked Mr. Clark his opinion of the crack sealing work done on Fairview Ave., Gross Ave. and Edgeway Rd. He had not examined it. Mr. Sabold felt the price was high considering the nature of the repair. It was noted the product used is expensive.

#### *Solicitor's Report*

- Mr. Herrold sent out the proposed decision for the appeal of a building permit at 21 N. Main St. and had not received comments. He requested a motion to approve the decision and authorize a signature. Mr. Seidel made the motion to approve the decision of borough council regarding the hearing for an appeal of a building permit issued for 21 N. Main St. and to authorize the council president to sign the decision. Ms. Bishop seconded the motion. All were in favor.
- Mr. Herrold presented the Chesapeake Bay Pollutant Reduction Plan Ordinance which authorizes the borough to enter into an inter-municipal agreement with approximately 30 other municipalities and York County. Certain municipalities will be selected to participate in Pollutant Reduction programs, but everyone participating in the agreement will receive credit for the reductions. This prevents the individual municipalities from being required to write, adopt and implement their own individual Pollutant Reduction Plans to meet the requirements of the federal government. There will be a consortium of individuals appointed by each municipality who will meet annually to select programs. The borough will have a 5-year contribution of \$3,230 (\$646/yr). The cost for the borough's engineer to develop and implement a Pollutant Reduction Program for the borough alone would cost significantly more than the borough's 5-year contribution to the agreement. In the event a project was selected for the borough, it would be funded from the budget of the inter-municipal agreement. Mr. Seidel made a motion to approve Dover Borough Ordinance 2014-1 authorizing an inter-governmental cooperation agreement for the implementation of the York County Regional Chesapeake Bay Pollutant Reduction Plan. It was seconded by Ms. Bishop and the motion carried.
- Ms. Bishop made a motion to authorize the Council President to execute the inter-municipal agreement on behalf of the borough. Mr. Seidel seconded. All were in favor.
- Mr. Seidel questioned the status of the legal negotiations regarding responsibility for the street damage during the Dover Elementary School expansion. Mr. Herrold had no further information on that matter. Mr. Lentz stated that Mr. David Strasbaugh, a member of the Dover Borough Planning Commission, could confirm assurance was given at a Planning Commission meeting prior to the renovation that Dover Area School District would take responsibility for damage to streets during construction. School district employees, Mr. Stephen Walker, principal for Dover Elementary School and Mr. Dave Nelson, Building and Grounds, were present at the meeting.

#### *Police Report*

- Mayor Pope noted the monthly police report copied for council was not for the current month and year. He reported there had been a decrease in calls from July 2013 to July 2014.
- The proposed police budget had a 4.3% increase, but that figure had been lowered in an amended budget. The pension figures came in \$25,000 less than anticipated. The largest portion of the increase in overall budget was due to pension issues which have been resolved. Under the new contract, the officers are paying more toward their pension. The budget includes approximately \$3,000 for new computers in all cruisers replacing the old 2G ones which are obsolete and useless in some areas.

*Ambulance Club Report* – There were 9 calls in August for Dover Borough and 126 total. Mr. Slusser will be meeting with Peggy Durnin next week.

#### *Recreation Board Report*

- Mayor Pope thanked Mr. Lentz, the fire company, and council members who participated in the 250<sup>th</sup> Anniversary Celebration. The event was well-attended despite the rain and feedback had been positive.
- He would like to propose council appoint Ms. Hailey Hagarman, 9 Mayfield St., to the Recreation Board. She attended the past 2 Rec Board meetings and helped with National Night Out and the 250<sup>th</sup> Celebration. Mr. Seidel made a motion to appoint Ms. Hailey Hagarman to an open position on the Recreation Board. Ms. Bishop seconded. All were in favor. She will serve out the remainder of Wray Bassett's term.

- Mr. Slusser recognized Mayor Pope and the Recreation Board for their work on the 250<sup>th</sup> Anniversary Celebration. Only 2 scheduled participants withdrew due to the weather. Central York Drum and Fife did not march in the rain to preserve their uniforms and musical instruments.

*Treasurer's Report* – Ms. Hartzler presented a bill from D.E. Gemmill Inc. which was not included on the bill list. The portion of the bill for thermoplastic crosswalk installation in the amount of \$2,500.79 can be paid from Liquid Fuels funds. The balance of the bill equaling \$882 for line painting would be paid from Borough monies. Mr. Seidel made a motion to pay \$2,500.79 of the bill for Gemmill from the Highway Aid Fund and the balance of \$882 from the General Fund. Mr. Slusser seconded and all were in favor. Mr. Kroft made a motion to pay the bills as corrected. Mr. Slusser seconded and the motion passed.

*Old Business* – Nothing to discuss.

*New Business*

- The YCBA meeting is scheduled for Thursday, September 25, 2014 at the Wellsville Fire Company. Seth Grove will be speaking on Property Tax Reform.
- Mrs. Shirey was the Open Records Officer for the borough and council will need to appoint someone for that position. Mr. Seidel made a motion to appoint Rebecca Hartzler as the Open Records Officer for the borough. Ms. Bishop seconded. All were in favor.
- There is an open position for auditor. Mrs. Shirley Crone, who was in attendance, was asked if she would be interested and she indicated no. Mrs. Cathy Pope was asked if she would take the position. She would consider it pending further information about the training, time and hours involved. It would be advantageous for all the auditors to take the available training.
- Mr. Sabold asked if council wished to conduct an independent audit since there was a change in Secretary/Treasurer. Ms. Hartzler stated that Mrs. Shirey had checked with the state and they do not require it, but it was required by the Borough Code. Mrs. Koch would check if there is a time frame for the audit to take place. Ms. Hartzler was instructed to obtain three quotes for an audit.
- Mr. Sabold read a thank you note from Mrs. Shirey for the reception held in her honor.
- Budget meetings were scheduled for Monday and Tuesday evenings, October 13 and 14, 2014 and October 27 and 28, 2014 at 6:30 p.m.
- Mr. Kroft read a portion of the Borough Code stating “a vacancy by resignation from a borough office is only created after a written resignation is accepted by council...” Mr. Seidel made a motion to accept the resignation of Mrs. Shirey effective September 4, 2014. Mr. Slusser seconded the motion. All were in favor. It was noted that Secretary/Treasurer is an appointed position and may not be subject to the excerpt mentioned.
- The issue of the bond for Mrs. Shirey was discussed. It was decided it should remain in place until such time as an audit is conducted. Ms. Hartzler would check if it had been canceled by Mrs. Shirey before she left.
- Council had received a copy of the bereavement policy to be added to the employee handbook. It should not include “1<sup>st</sup> cousin”. Mr. Dentler made a motion to accept the bereavement policy prepared by the Personnel Committee to be added to the Employee Manual. Mr. Kroft seconded and the motion carried. Mrs. Koch will forward the corrected copy of the employee manual to Ms. Hartzler. Mr. Lentz questioned what the effective date of the policy would be as it pertained to previous time taken by Mrs. Shirey and Mr. Grim to attend family funerals. The policy is effective as of the date of the meeting. The issue regarding Mrs. Shirey and Mr. Grim would be discussed in Executive Session to follow the regular meeting.

With no further business to discuss, Mr. Dentler made a motion to adjourn the regular meeting and open an Executive Session with a second by Mr. Slusser. All were in favor. The meeting adjourned at 9:32 pm.

Respectfully submitted,

Rebecca J. Hartzler  
Acting Secretary/Treasurer