

## **MINUTES**

The regular monthly meeting of Dover Borough Council was held at Borough Hall, 46 Butter Road on Monday, January 5, 2015 at 7:00 pm. All members were present. President Sabold called the meeting to order. A moment of silent prayer followed.

The December 1, 2014 minutes were reviewed. Mr. Seidel made a motion to approve the December minutes. Ms. Bishop seconded the motion. All were in favor.

## **PUBLIC COMMENT**

Chief Flohr provided the fire company report.

- They responded to 19 calls in December. Chief Flohr did not calculate the number of calls in the borough. There was a \$35,000 loss from water damage at 107 Cedar Dr. It was a vacant house in which a pipe broke on the second floor.
- There were 230 calls in 2014 with a \$38,350 combined loss - \$50 from a cooking fire, a \$3000 car fire, \$300 from a trash fire and the \$35,000 water loss. An average of 8 firefighters responded per call; March and April were the busiest months with 28 calls each; the busiest days of the week were Tuesday and Friday with 38 calls and Monday was the slowest day. They gave mutual aid to 16 different districts in 2014. There were 84 calls in Dover Township, 55 in Dover Borough, 35 in West York, 21 in Strinestown, 9 in Wellsville, and 5 in Manchester Township where the fire company was recently added for Country Club Estates and Greenbriar Road. They will be conducting combined training with Manchester Twp.
- The January calendar was reviewed. Elaine Kroft distributed a list of fundraising events for 2015.
- Mr. Sabold thanked the fire company for the appearance of Santa Claus and Mrs. Claus on Christmas morning.
- Assistant Chief Dettinger reviewed the details of the Act 147 funding approval for the purchase of updated equipment for the EOC room. The request was submitted for a Smart TV, computer, and iPad. The used computer previously donated by the borough is dying. Mr. Dettinger selected the items which total \$1,315.88. The borough will make the purchase and be reimbursed under the grant. Mr. Seidel made a motion to approve the purchase of the TV, computer, iPad and accessories to be reimbursed from York County under the Act 147 grant. Mr. Slusser seconded the motion and all were in favor.
- Mr. Seidel made a motion to approve the activities on the fire company calendar for January. Mr. Dentler seconded the motion and it carried.

Mr. Mike Day of 3330 Fox Meadow Dr. in Dover Township was present and wished to make council aware of Dover Township's plans to lease or sell their water and sewer systems to a corporation. He was aware the borough purchases water from the township and asked for council's opinion on the proposed sale. There is an informational meeting scheduled at Dover Township on January 12. Mr. Seidel responded that Dover Borough has an intergovernmental agreement with Dover Township which a purchaser would have to honor. Dover Township receives water from York Water Company presently so Dover Borough is already subject to their costs. Sale of Dover Township's sewer system could possibly affect the borough as it pertains to the properties connected to our system north of the borough. It was noted that Dover Township has been discussing various proposals for bypassing. Mr. Day asked if other municipalities were connected to Dover Township's sewer system. The waste from portions of several municipalities flows to their wastewater treatment plant which is located in Conewago Township and is operated by a sewer authority.

## **SEWER**

*Manager's Report* – Mr. Lentz received a quote from Schreiber for the return screw support frame which includes an A-frame structure with 2 – 1 ton hoists. The cost would be \$9,260 plus \$900 shipping for a total

of \$10,160. He requested approval to order the frame now and have installation bids ready for February's meeting. Mr. Seidel made a motion to approve the purchase of the return screw support frame and hardware from Schreiber at a cost of \$10,160. Mr. Kroft seconded and it carried unanimously.

*Engineer's Report* – Mr. Clark indicated there are problems with the accuracy of readings from 2 flow meters. While he believes the flows are actually much lower than recorded by meter #1, the readings do indicate an increase during rain events. For this reason, he is recommending we televise Amberview Dr. during a wet time to verify the readings are not correct. Another option would be to place another meter with fresh batteries in that location and see if the readings differ. Mr. Lentz had been in contact with Control Systems 21 about the apparent inaccuracies and learned the readings can be adversely affected if the desiccant, which removes moisture, is not replaced. Mr. Lentz will order these and check if they can be dried and reused. Mr. Sabold suggested they be routinely replaced if necessary.

*Solicitor's Report* – Nothing to report.

*Old & New Business* – None

## **WATER**

*Manager's Report* – The well test site adjacent to Meadow Dr. did not produce adequately and United Environmental was considering rehab of Well #4. Mr. Lentz communicated to their representative and Tom Yeager, DEP, that council was opposed to that option. There was a discussion regarding a dollar cap and the length of time USTIF funds would reimburse water purchase costs. The question was raised if well locations could be considered that are outside of the borough on adjacent Dover Township property. This is an option, but it is complicated and restrictive to work in the area of gas pipelines. There is a possible site behind Jim and Nena's, but United Environmental would be responsible to handle issues with Dover Township and the gas company. Mr. Lentz will mention this site to Kevin Van Kuren from United Environmental.

*Engineer's & Solicitor's Report* – Nothing to report.

*Old & New Business* -None

## **BOROUGH**

*Manager's Report* – Mr. Lentz and Mayor Pope met with Mr. Cherry, Superintendent of Dover Area School District, to discuss damage to borough roads during the elementary school expansion. Mr. Cherry asked what Dover Borough would contribute and was told the price of top-coating was the borough's contribution. Dover Borough wants to be reimbursed the base repairs of \$38,000 from the school district. The superintendent would prepare a report for the school board and respond after their meeting. Mr. Lentz will follow up if Mr. Cherry does not contact him within 2 weeks.

Mr. Lentz contacted YCSWA regarding purchase of recycle bins. They can only be ordered through the grant process in the spring. YCSWA is looking for a few to purchase currently as we are out of them.

*Engineer's Report* – Mr. Clark would like to move forward with bids for the CDBG sidewalk project to be presented at the March meeting and there was no objection.

*Solicitor's Report* – Mr. Herrold reviewed his correspondence with Mr. Prince, a lawyer representing the Firearms Industry Consulting Group who is challenging Dover Borough's Park Rules and Regulations ordinance, Chapter 109-17 which states, "Use or discharge of any type of firearm, air gun, slingshot, fireworks or explosive device is prohibited except when permission is given by permit." Mr. Prince contends this is in violation of state law prohibiting local governments from regulating lawful ownership, transfer or transportation of firearms and is also a violation of constitutional civil rights. A recent PA House Bill (HB 80, Act No. 2014-192) provides "relief", including attorney fees, court costs, compensation, and other expenses

for anyone adversely affected by such a regulation. It is Mr. Herrold's opinion that Mr. Prince will follow through with filing a law suit and council should consider the option to repeal the selected portion of the ordinance versus letting it stand. Inasmuch as there are currently state laws which are as restrictive as the borough's park rules, it may be more desirable to repeal the section of the ordinance prohibiting the discharge of firearms in Ketterman Park rather than leave the borough open to a likely law suit to be filed by Mr. Prince in federal court. Mr. Seidel made a motion to repeal Chapter 109-17 of Dover Borough's Park Rules and Regulations ordinance as addressed. Mr. Slusser seconded and all were in favor. Mr. Herrold would make the necessary revisions.

Mr. Herrold reviewed the new statute providing for the appointment of a deputy tax collector. It provides for the deputy to fill in during a period of temporary incapacitation of the tax collector. If the current tax collector dies, moves out of the district, or is unable to fulfill their term, the municipality will appoint someone to replace them.

Mr. Herrold presented Resolutions 2015-1 and 2015-2 allowing the fire company to apply for a Special Occasion Permit to sell liquor at two dinners. Mr. Slusser made a motion to approve Resolutions 2015-1 and 2015-2 permitting the fire company to apply for permits from the Liquor Control Board to sell liquor at functions on May 16, 2015 and September 26, 2015. Mr. Seidel seconded and the motion carried unanimously.

Mr. Clark and Mr. Herrold excused themselves from the meeting at this time.

*Police Report* – Mayor Pope reported there were 28 more calls in November 2014 than in November 2013 and 32 more calls year-to-date compared to the same period last year.

*Ambulance Club Report* – There were 6 calls in December and 105 for the year. There was no meeting in December.

*Recreation Board Report* – Eagle Lacrosse presented a request to sell concessions in the park, using an outdoor grill, during home games in 2015. They would also like to use a sound system. They will be placing a portable toilet in the park again this year. There was a discussion regarding the use of fryers last year which was considered a fire and burn risk. Several members had no objection to the team using a grill, but they should abide by any health regulations that would apply to the public sale of food and obtain any necessary permits. The borough would require a copy of the permit. No solicitation is permitted without a vendor permit. A discussion followed regarding the request to use their sound system and how it would be powered. It was operated last year with a small generator located at their shed and there were no complaints. They are permitted to use it again this year. The mayor will notify Eagle Lacrosse of the requirements regarding sale of food.

Mayor Pope's term on the Recreation Board, as well as Kay Stitley's term, expired the end of 2014 and they each would like to be reappointed for an additional term of 5 years. Mr. Slusser made the motion to appoint Richard Pope and Kay Stitley to the Dover Borough Recreation Board for another term. Mr. Dentler seconded and all were in favor.

President Sabold read a letter from Mr. Ronald Botterbusch and another from Mrs. Norma Botterbusch indicating their resignation from the Recreation Board effective immediately. Mr. Slusser made a motion to approve sending a thank you letter to Mr. and Mrs. Botterbusch for their service on the Rec Board. Mr. Seidel seconded and the motion carried. Mr. Dentler made a motion to accept the resignations of Ronald and Norma Botterbusch from the Recreation Board effective today's date. Mr. Slusser seconded and all were in favor.

*Treasurer's Report* – Ms. Hartzler made an addition to the General Fund bill list of one invoice from Hot Frog Media for delivery of the newsletter and postage at a cost of \$173.44. This increased the total "Bills To Be Paid" to \$719.26. Mr. Seidel made a motion to pay the bills including the additional invoice. Ms. Bishop seconded and the motion carried unanimously. President Sabold drew attention to the fee charged by

Hamilton and Musser for the reconciliation of the 2013 DCED Audit Report. He felt that \$1,250 was a fair and reasonable fee for the amount of work involved including a meeting with the auditors.

*Old Business* – Mrs. Koch would like residents with stone driveways to keep the stones off the pavement in the alley that runs behind her home on S. Main St. The stones are damaging the macadam. There are also trash cans sitting out past the allowed time.

*New Business* – Mr. Troy Dettinger referenced an item under New Business from the November meeting minutes regarding an update of the Emergency Response Plan. He indicated the fire company had not received anything from Kevin Behr, the EMA Coordinator. Council agreed if there is an updated plan, the borough should have a copy as well as the fire company. Ms. Bishop stated the EMA information in the most recent newsletter had been provided by Mr. Dettinger because she had not received a response from Mr. Behr. Council had previously discussed communication problems between the fire company and the EMA Coordinator. Mr. Lentz and Mr. Pope indicated they receive daily updates from Mr. Behr. After further discussion, it was decided that Ms. Hartzler would draft a letter to Mr. Behr from Dover Borough Council communicating the following requirements: 1. All daily and regular EMA updates and alerts must be provided to the three chief officers of the fire company; 2. A copy of the Emergency Action Plan for Dover Borough must be provided to the borough and the fire company; 3. The Emergency Management Coordinator must appear once per quarter at a regular borough council meeting.

The winter newsletter was reviewed and it was felt the high school students did a nice job putting it together. The graphics teacher is preparing a quote for the high school to print banners for the borough.

With no further business to discuss, Mr. Seidel made a motion to adjourn with a second by Ms. Bishop. All were in favor. The meeting adjourned at 8:50 pm.

Respectfully submitted,

Rebecca Hartzler  
Secretary/Treasurer