

Board of Supervisors

Meeting Minutes 11/13/06

The Dover Township Board of Supervisors regular meeting for November 13, 2006 was called to order at 7:00 PM by Chairman Shane Patterson in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Shane Patterson, Duane Hull, Michael Husson, Madelyn Shermeyer, and Curtis Kann. Other Township Representatives in attendance were Atty. Charles Rausch, Township Solicitor, Laurel Wilson, Township Manager, and Dawn Slegel, Recording Secretary. Also in attendance were approximately 9 citizens and 2 reporters. This meeting has been recorded for minutes purposes only. The pledge of allegiance to the flag was recited.

BUDGET WORK SESSION AND MEETING MINUTES FOR OCTOBER 23, 2006

Supervisor Shermeyer made a grammar correction to the meeting minutes for October 23, 2006 on Page 3 in the Public Comment Period Section to read Ms. Sprenkel reported that *she and Mr. Myers...* **Motion** by M. Shermeyer and second by M. Husson to approve the budget work session minutes and meeting minutes for October 23, 2006 as corrected. Passed with 5 ayes.

Chair Patterson announced that a work session was held at 6 PM this evening to discuss accessory family dwellings.

TREASURER'S REPORT

Chairman Patterson reported that the warrant total for November 13, 2006 was in the amount of \$829,250.38. Supervisor Hull questioned the phone bill for the Log House and the availability for public access. He also had a concern with the time spent on numerous trips to Spangler's Hardware. He suggested that the Spangler's Hardware Account just be listed as a total amount. Manager Wilson was uncertain if the account must be shown for each separate department. She will address the Board's concern to the appropriate staff. Supervisor Hull inquired about the replacement of the condensing unit by Trane at the municipal building. Manager Wilson explained that the difference in cost for the condensing unit replacement compared to the parts and labor to the repair the current condensing unit was minimal. **Motion** by D. Hull and second by C. Kann to approve the November 13, 2006 warrant totaling \$829,250.38. Passed with 5 ayes.

PUBLIC COMMENT PERIOD

Jeffrey Cass, 2411 Municipal Road, had presented a letter to the Board regarding his well problems and requested a waiver from the connection fee to hook up to the public water system. He described that heavy sediment is accumulating in his well due to the water main extension by Dover Township to accommodate Dover Area High School which ran across the corner of his yard and across the creek that surrounds his

property. He installed a cartridge sediment filter which must be replaced frequently. The sediment has created many problems in his home. He requested relief from the \$1,276 connection fee so that he connect to the Township's water system.

Supervisor Hull commented that if Mr. Cass is willing to connect to the public water system, then Supervisor Hull believes the connection fee and all other permitting fees should be waived.

Chair Patterson requested verification from the Water Department that the water main extension project caused Mr. Cass' water problem.

Mr. Cass explained that the location for the connection to the water main belongs to the golf course and he questioned whether he would need an easement from the owner, Edward Albright.

Atty. Rausch advised that if Mr. Cass is running his lateral across the golf course property, then he should have a recorded easement through a right-of-way agreement, which is prepared by an attorney. The agreement should be initiated by Mr. Cass and Mr. Albright would also need to sign it.

Mr. Cass stated his plumber had questioned the positioning of the pressure reducing valve. The Board advised that the plumber should work with the Township's Water Department on the installation procedure. Mr. Cass also asked if he could use high pressure plastic water line and run a tracer wire. Supervisor Kann advised against that and suggested that Mr. Cass consult with the Water Department on the proper materials.

Motion by D. Hull and second by M. Shermeyer to waive all the Township fees necessary to connect to the Township's public water system. **Passed** with 4 ayes and 1 nay with opposition by C. Kann.

Ronald Wertz, 6300 Mountain Road, addressed the Board on an issue dealing with public safety. He was concerned about a tree that had fallen on phone wires across Mountain Road and had not been removed by the Township for a month. He noted the daily passage by a school bus. His concern was also expressed on behalf of his neighbors.

Manager Wilson explained the responsibility to remove the tree falls upon the phone company when the tree is on their lines. Due to the uncooperative communication by the phone company, the Township was left in the position to ultimately cut down the tree.

Mr. Wertz was concerned with the length of time it took to finally remove the fallen tree. It should have been dealt with immediately.

Atty. Rausch explained that from a legal standpoint, it was the responsibility of the property owner to remove the dead tree from his property. The Township could bill the property owner for the removal of that tree.

Mr. Wertz stated that the Township should be able to make Verizon take down the tree or the Township would remove it and bill the phone company.

Supervisor Husson reminded Mr. Wertz of the recent newsletter article that explained the responsibility of removing dead trees belonging to the property owner. The Township should not have to remove a tree on private property.

Manager Wilson explained that the only way a utility company (other than Adam's Electric) will remove a fallen tree is if there is a disruption in their service. That is the position most of the utilities have taken because they do not have on-staff crews to handle tree removals.

Chair Patterson advised that if a tree falls down and no response has been received from the public utility responsible, the Township will try to do whatever necessary to apply pressure to get expedition on the matter.

Sharon Karmony, 6250 Mountain Road, had questions for the Board regarding the mandatory pumping of her on-lot septic system. A broken baffle was discovered when her system was pumped and she will need a tank replacement to repair her malfunctioning system.

The Board explained the Township's On-Lot Management Ordinance in regard to DEP requirements.

SOLICITOR'S REPORT by Atty. Rausch

Ordinance 2006-08 - Atty. Rausch reported that the Sign Ordinance was on tonight's agenda for adoption. He noted that a public hearing was held and the Board reserved adoption of that ordinance until comments were received from the Dover Township Planning Commission. The Dover Township Planning Commission recommended an editorial comment and the amendment was inserted into the ordinance.

Supervisor Husson questioned the Township's need to address the timeframe for campaign signs since Voters Registration does not regulate the posting and removal of these signs.

Atty. Rausch explained that political signs are highly protected by the First Amendment Rights.

Supervisor Hull asked about the section addressing the little signs posted at the intersection directing potential buyers to the location of new housing developments.

Atty. Rausch responded that those types of signs are not permitted.

Motion by D. Hull and second by M. Shermeyer to adopt Ordinance 2006-08, the Sign Ordinance. **Passed** with 5 ayes.

Supervisor Husson inquired about the business owners' awareness of this newly adopted sign ordinance.

Manager Wilson suggested the changes be published in the next Township newsletter.

Atty. Rausch clarified that the Board adopted Ordinance 2006-08 with the editorial change recommended by the Dover Township Planning Commission. For the record, the Board agreed with the clarification.

Glen Gery Update - Atty. Rausch reported that the thirty day time period has expired on the Glen Gery Settlement Agreement. Glen Gery's attorney, Atty. Ober, will be preparing the stipulation for the settlement agreement to be entered as a court order. A plan of action will be developed for the substantive items.

Code Updates - Atty. Rausch met with Township staff to discuss the code updates. The various codes should be brought up-to-date in the near future.

MANAGER'S REPORT by Laurel Wilson

Resolution 2006-17 - Manager Wilson reported that Resolution 2006-17 amends the appointment of the Building Code Officials for Dover Township adding Maureen App, who recently received her Building Code Official Certification. **Motion** by M. Shermeyer and second by C. Kann to approve Resolution 2006-17 with the addition of Maureen App as an Alternate Building Code Official for Dover Township. **Passed** with 5 ayes.

Amendatory Contract for Joint Comprehensive Plan - Manager Wilson reported that an amendment must be approved to the contract for the joint comprehensive plan granting a time extension on the Community Development Block Grant. **Motion** by M. Husson and second by M. Shermeyer to approve the amendatory contract for the joint comprehensive plan. **Passed** with 5 ayes.

Acknowledgment of the Receipt of the Ag. Security Application from Joel D. & Susan C. Deardorff, 4561 Dairy Rd. - Chair Patterson stated that the Board acknowledged receipt of the agricultural security application of 168 acres for Joel & Susan Deardorff of 4561 Dairy Road.

Acknowledgment of the Conclusion of Laurel A. Wilson's 6 month Probationary Period as Township Manager - Chair Patterson recognized the Board's acknowledgment of Laurel Wilson's completion of her six month probationary period as the Township Manager for Dover Township.

Approval of the YSM Master Plan Proposal for the Tower Village Recreation Area in the Amount of \$9,700.00 - Manager Wilson explained that the Board does not have to accept all the steps of the YSM Master Plan Proposal for the Tower Village Recreation Area. This is the required procedure for the application of DCNR grant money. The Board can request an amended proposal for the design work only. Recreation in-lieu-of funds will be utilized for this project. A survey completed by the area residents this summer showed interest in a small playground, picnic area, and walking trail. The Board was interested in developing a half basketball court to eliminate the temporary basketball poles in the streets. Stormwater provisions are needed on the property. Manager Wilson will request a design cost proposal for this recreation area from YSM.

Authorization for Advertisement of the Ordinance Authorizing Dover Township's Participation in the Pennsylvania Municipal Health Insurance Cooperative - Manager Wilson reported that in order to get the quoted dental and vision benefits, the Township needs to join another cooperative associated with the same insurance group. An ordinance must be passed and an agreement signed in order to join this cooperative.

Motion by M. Husson and second by M. Shermeyer to authorize advertisement of the ordinance to authorize Dover Township's participation in the Pennsylvania Municipal Health Insurance Cooperative. Passed with 5 ayes.

2007 Animal Control Contract - Manager Wilson explained that currently Dover Township has two separate contracts with the York County SPCA. One contract was to house stray animals at the SPCA which was in the amount of \$3,300 and the other was for the collection of stray animals. The SPCA has decided that they will not be performing the stray animal collection service at the end of 2006. The Township had to look to other outside services to conduct that service. The recommended contract through Hemler Animal Control Service consists of a retainer fee, a cheaper daytime hourly rate than the nighttime hourly rate, and a mileage cost. This service pertains to cats and dogs. Any animal, other than a cat or dog, the Township has to provide permission. Manager Wilson stated that the York County SPCA notified municipalities about a week and a half ago of their collection service discontinuation. **Motion by M. Husson and second by D. Hull to approve the 2007 Animal Control Contract with Hemler Animal Control Service in Glenville. Passed with 5 ayes.**

Traffic Study Request for Old Carlisle Road from Tall Fir Dr. to SkyTop Tr. - Manager Wilson reported that reason for the traffic study request was to establish the speed limit along the "S" curve on Old Carlisle Road. **Board Consensus** to authorize a traffic study along Old Carlisle Road to establish the speed limit through the "S" curve.

Contract Award of Equinox Road Sewer Line Replacement to Gregory Contractors, Inc. in the Amount of \$44,255.00 - Manager Wilson reported that an emergency repair must be performed of the sewer line on Equinox Road which caused sewer backups back in August. Only one bid was received from Gregory Contractors, Inc. for

\$44,255.00. Supervisor Kann added that the work was estimated to cost approximately \$40,000, so this bid is in line. He explained that the line had settled and created many problems. **Motion** by C. Kann and second by D. Hull to award the contract to Gregory Contractors, Inc. in the amount of \$44,255.00 for the sewer line replacement on Equinox Road. **Passed** with 5 ayes.

Municipal Building Sign - Manager Wilson requested direction from the Board on the appropriate location for the municipal building informational sign. The problem is running electric to the sign which would involve tearing up the parking area to position the sign at the northeastern corner. Wayne Latshaw suggested placing the sign at the opposite corner which is not in front of the municipal building. The sign cannot be located across the front of the property because of the stormwater pipe which runs along Canal Road. Locating it too close to the building will not allow people to read it as they drive by. **Board Consensus** to trench the electric across the parking area to place the municipal sign at the northeastern corner.

Executive Session - Manager Wilson requested an executive session after the meeting to discuss personnel issues.

OLD BUSINESS

Accessory Family Dwelling Ordinance - Chair Patterson stated that the accessory family dwelling amendments are being drafted into an Ordinance for the Board to review.

COMMENTS/NEW BUSINESS FROM BOARD OF SUPERVISORS

Supervisor Hull asked Supervisor Kann to check with the Sewer Department on the inflow and infiltration status situation in Tall Oaks Estates.

Supervisor Husson advised the Board that the joint comprehensive plan is ready to be presented as a working document to the public. There will be upcoming public meetings that the Board members may be interested in attending.

The Board announced that there will only be one Board meeting in December on Monday, December 11, 2006.

Supervisor Shermeyer expressed concern with the second act of vandalism to the Veterans Memorial last Monday when she discovered that the light had been smashed in front of the memorial. It was repaired by Wayne Latshaw and Bollinger's Electric for Veterans Day. She asked Supervisor Hull, as Commissioner to Northern York Regional Police, if something could be instrumented to catch the vandals.

Supervisor Shermeyer reported that the jail rededication funds to the York County Cancer Center for Patients Assistance Fund have generated over \$2,600 to date and additional pledges are anticipated.

Chair Patterson recommended security measures be investigated in the parks to deter the vandalism. The Board agreed on checking into a plan of action.

Supervisor Hull recommended that a message be published in the next Township newsletter generating public awareness of the memorial vandalism.

Philip Keeney, 6271B Old Carlisle Road, commented that the increase of vandalism throughout the Township is not being placed in the local newspaper to alert residents.

Chair Patterson reported that the 2007 Budget includes additional police protection for Dover Township.

Supervisor Hull identified an issue with the car lot on Park Street and Canal Road which he will discuss with the Zoning Officer. He reviewed the September Police Report and the amount of vandalism and thefts in Dover Township compared to some other municipalities in York County.

Chair Patterson has received complaints about vehicles speeding on Tower Drive.

COMMENTS FROM THE PUBLIC PRESENT

Philip Keeney, 6271B Old Carlisle Road, questioned the procedure for the repair of a baffle for a septic system and a clogged drainfield line.

The procedures were explained by several board members.

Betty March, 2832 Grandview Avenue, commented on the addition of security devices in the park.

Charles Rudy, 3241 Staunton Avenue, inquired about receipt of a letter from someone in Mifflintown regarding septic pumping. He also commented on building regulations near stormwater areas in the Brookside Heights Development. Mr. Rudy questioned if the plans for Walker Avenue include a turnaround area.

Supervisor Shermeyer responded that the Township's Alternate Sewage Enforcement Officer is from Mifflintown.

Manager Wilson explained the stormwater regulations are governed by York County Conservation District.

Chair Patterson stated that the Brookside Heights Plan must be reviewed to check if there is a turnaround area proposed on Walker Avenue.

ADJOURNMENT

Motion by D. Hull and second by M. Husson to adjourn the regular meeting at 9:29 PM.
Passed with 5 ayes.