

Board of Supervisors

Meeting Minutes 11/27/06

The Dover Township Board of Supervisors regular meeting for November 27, 2006 was called to order at 7:00 PM by Vice Chairman Duane Hull in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Duane Hull, Madelyn Shermeyer, and Curtis Kann. Other Township Representatives in attendance were Atty. Charles Rausch, Township Solicitor, Terry Myers, Township Engineer, Karen Wilson, C. S. Davidson, Laurel Wilson, Township Manager, Georgia Sprenkel, Zoning Officer, and Dawn Slegel, Recording Secretary. Also in attendance were approximately 3 citizens and 2 reporters. This meeting has been recorded for minutes purposes only. The pledge of allegiance to the flag was recited.

Vice Chair Hull announced that Chair Patterson and Supervisor Husson were absent this evening with prior notification.

WORK SESSION MINUTES FOR NOVEMBER 13, 2006

Motion by C. Kann and second by M. Shermeyer to approve the work session minutes for November 13, 2006 as presented. **Passed** with 3 ayes.

MEETING MINUTES FOR NOVEMBER 13, 2006

Motion by M. Shermeyer and second by C. Kann to approve the meeting minutes for November 13, 2006 as presented. **Passed** with 3 ayes.

TREASURER'S REPORT

Vice Chair Hull reported that the warrant total for November 27, 2006 was in the amount of \$222,123.85. Supervisor Kann questioned whether the property owner or the utility company would be billed for the cost of the tree removal on Mountain Road. Manager Wilson replied that she does not know if the property owner was officially notified before it was cut down. Collection could be attempted with the utility company. **Board Consensus** to send an invoice to the utility company for the Mountain Road tree removal on their lines. **Motion** by M. Shermeyer and second by C. Kann to approve the November 27, 2006 warrant totaling \$222,123.85. **Passed** with 3 ayes.

There was no public comment at this time.

ZONING OFFICER'S REPORT by Georgia Sprenkel

Locust Point Garage Land Development Plan - Jeff Shank of K. Eugene Shank was present to represent the land development plan for the Locust Point Garage. Keith and Debra Shaub are proposing to develop 2.159 acres at Davidsburg and Canal Roads

adjacent to the Barbarian Motorcycle Shop. The site contains public sewer, but no public water. They would like to construct a 40' x 70' building for a vehicular service repair facility. Mr. Shaub currently maintains and services Kelly's Transport passenger vans and plans on moving his business from his home on Salmon Run Road to the proposed location. The Board had a concern with the stormwater runoff. Mr. Shank reported that Carl Livingston had agreed to sign an easement agreement and later backed out. The agreement would have allowed the Shaubs to run the stormwater to an existing stone trench. Currently, they are working with Mr. Becker of Barbarian on constructing a swale for both properties. Mr. Shank asked the Board to consider conditional plan approval allowing time to obtain an easement agreement with Mr. Becker. **Motion** by M. Shermeyer and second by C. Kann to grant the two waivers: 1. Planning Module and 2. Cartway width for Davidsburg Road. **Passed** with 3 ayes. Supervisor Kann noted that he would like to table the plan until the stormwater situation is better established. The Township Engineer would also like time to review the easement agreement. Atty. Rausch suggested that the condition have an established time of completion so that the Board has control on its continuation. **Motion** by M. Shermeyer and second by D. Hull to approve the Locust Point Garage Land Development Plan contingent on the completion of the following outstanding items: 1. GIS disk; 7. DEP Code Number on plan (Township must provide if it was established); 10. Stormwater management approval by the Township Engineer and allow an additional 60 day time limit to obtain an easement. With a vote of 2 ayes and 1 nay with opposition by C. Kann, the plan was denied as indicated by Atty. Rausch. Atty. Rausch explained that the vote has to be a majority of the Board. Supervisor Kann decided to change his vote to an "aye" because of the stormwater stipulations set forth. **Passed** with 3 ayes.

Time Extensions - Ms. Sprenkel reported that the Bradley Newport 2-Lot Subdivision Plan for 4201 Davidsburg Road was extended to February 26, 2007. She also stated that the Christine Reed 4-Lot Subdivision Plan for 4011 Fox Run Road was extended to February 20, 2007.

Brownstone Land Development Plan - Ms. Sprenkel advised that the Brownstone Land Development Plan was supposed to be here this evening for signatures, but it was not ready.

Brownstone Sewer Right-of-Way Issue - Ms. Sprenkel included in the Board's packet a memo from Ms. Simon regarding a right-of-way policy for encroachment. She informed the Board that someone from the Brownstone Manor Development will be attending their next meeting to request construction of a deck that would encroach two feet into the sewer right-of-way. No one has seen any plan to know exactly what right-of-way would be encroached. Mr. Myers noted that the interceptor runs behind the Brownstone property owner's land and a sewer easement to the side of his property was created by the subdivision plan. Mr. Myers recommended that the owner provide a sketch of the deck on the property for the Board to review prior to the meeting.

ENGINEER'S REPORT by Terry Myers

Brookside Park Building No. 2 Replacement - Mr. Myers reported that the piers are completed and the slab is poured for Building No. 2 at Brookside Park. He noted that possibly the framing crew will be starting tomorrow. The framing could be almost completed by the end of the week if the weather cooperates. Later this week, the foundation will be backfilled and the sidewalks poured.

Supervisor Shermeyer asked Mr. Myers to make sure the construction area would be properly fenced for the safety of the children attending the Christmas in the Park on Saturday evening.

Edgewood Stormwater Improvements - Mr. Myers explained that his report contains a four year phasing sequence for the replacement of the storm sewer system, deteriorated curbing replacement, and the street resurfacing in the Edgewood Development. He noted that these improvements deal mainly with stormwater issues. The deterioration or disrepair of the sidewalks can be addressed later. Year One, beginning in 2007, will include the eastern section of Edgewood along Marlborough, Broughton, etc. The street paving for this section will be done in 2008. Supervisors Shermeyer and Hull were concerned about road cuts being made to newly paved roads. Mr. Myers advised that he had prepared more stringent highway occupancy permit regulations for Manchester Township for road paved within five years. The Board was interested in reviewing those regulations. **Board Consensus** to authorize C. S. Davidson to begin the surveying process for the Edgewood stormwater improvement project.

Construction Material Specifications - Mr. Myers reported that several changes needed to be made to the Construction Material Specifications. They include water meter replacements for the remote radio readouts, some sewer and water changes requested by Ms. Simon and the Water Department, and updates to the paving specs for the Superpave requirement. If the Board and Township staff review the revisions to the Construction Material Specifications and give Mr. Myers their comments or corrections, the revisions may possibly be ready for adoption at the next meeting. He gave the Board the narrative portion to review. The drawing details should be completed by the end of the week. He noted that only the new preliminary plans will be subject to the new paving requirements.

SOLICITOR'S REPORT by Atty. Rausch

Authorization to Advertise Zoning Amendments RE: Accessory Family Dwelling Unit - Ms. Sprenkel advised Atty. Rausch that the Dover Township Planning Commission will not be reviewing the Proposed Accessory Family Dwelling Ordinance until December 6, 2006. **Motion** by M. Shermeyer and second by C. Kann to authorize the advertisement of the proposed zoning amendments to the accessory family dwelling unit. **Passed** with 3 ayes.

Authorization to Advertise Zoning Amendment to Chapter 22-718 of Code of Ordinances - Atty. Rausch notified the Board that Chapter 22-718 of the Code of Ordinances sets the recreation in-lieu-of fees and is contradictory in that it states that the Board will set the recreation in-lieu-of fees by resolution and contains a formula for the calculation, but the following section then states that the in -lieu-of amount is \$900. The section containing the specific amount should be deleted. He requested authorization to advertise this zoning amendment. **Motion** by M. Shermeyer and second by C. Kann to authorize the advertisement of the proposed zoning ordinance to amend Chapter 22-718 of the Code of Ordinances. **Passed** with 3 ayes.

Variance Request from Heritage Landscaping - Atty. Rausch reported that he received an email from the Zoning Hearing Board Solicitor, Atty. Craley, of an upcoming variance request from Heritage Landscaping to exceed the two acre maximum lot size in the Agricultural Zone. Due to a DEP hydrological study, a larger lot is needed due to high nitrate levels. It was suggested that if the Board considers this to be a township-wide issue that maybe it should be addressed through a zoning amendment. The revision should state that the maximum lot size is two acres, unless a larger lot size is needed due to DEP requirements. Supervisor Shermeyer added that the completion of a hydrological study should be required in order to prove the compliance. Manager Wilson expounded to grant only the allowable increase required by the hydrological study. Atty. Rausch will prepare the zoning amendment for the Board and Atty. Craley to review.

Glen Gery Agreement - Atty. Rausch is working with Atty. Ober, Glen Gery's attorney, to prepare the agreement stipulations to be filed with the court.

MANAGER'S REPORT by Laurel Wilson

Resolution 2006-18 - Manager Wilson reported that the proposed 2007 budget has been properly advertised, posted, and is ready for adoption. **Motion** by C. Kann and second by D. Hull to approve Resolution 2006-18 adoption of the 2007 Budget. **Passed** with 3 ayes.

Resolution 2006-19 - Manager Wilson reported that the 2007 tax levy does not contain any changes from last year. **Motion** by C. Kann and second by D. Hull to approve Resolution 2006-19 setting the tax levy for 2007. **Passed** with 3 ayes.

Resolution 2006-20 - Manager Wilson reported that Resolution 2006-20 establishes the tax levies, other than real estate, for 2007. She noted that they are also the same as last year. **Motion** by M. Shermeyer and second by C. Kann to approve Resolution 2006-20 for the establishment of the tax levies, other than real estate, for 2007. **Passed** with 3 ayes.

Resolution 2006-21 - Manager Wilson reported that Resolution 2006-21 is a sewage planning revision for the new land development of the Fetrow farm. **Motion** by M.

Shermeyer and second by C. Kann to approve Resolution 2006-21 for the sewage planning module revision for the Fetrow farm. Passed with 3 ayes.

OLD BUSINESS

Accessory Family Dwelling Ordinance - Vice Chair Hull reported that this topic was previously discussed.

COMMENTS/NEW BUSINESS FROM BOARD OF SUPERVISORS

Supervisor Kann commented that the 2007 budget does not contain a tax increase even though some supervisors wanted an increase. This is something that he cannot promise for the rest of his Board term because the Township has to keep pace. The public must realize that the more they want, the more it costs. If everyone in the Township does their part to keep costs down, the Supervisors can hold spending down.

Supervisor Shermeyer responded to Supervisor Kann's comment. She was one of the Supervisors he referred to. She explained that it was not a tax increase. It was to put the tax back to the one mil that it was prior to the reassessment. The year after the reassessment, the Township is only allowed a ten percent increase in taxes. In order to compensate, the millage is lowered for the following year. Normally, it would then be returned to the one mil the year following the lowering. She felt that after reviewing the budget and for future planning, it should have been put back to one mil. She stated that she is hoping the Board will not have to revisit this concept in the middle of the year.

Supervisor Kann commented on different municipalities opting in or out of hiring a regional police force. He noted that the Board has increased their Police Budget for 2007. He cannot understand the reasoning behind pulling out of a regional police force. He wanted to inform the police and fire departments that the Township does not have an "open checkbook". In his words, "It is nice to have the latest "toys", but they all cost money". He instructed that these departments keep their needs in line.

Supervisor Hull reported that the Board's request for an additional twenty hours for police service was reduced to fifteen since Dover Borough requested five additional police hours for 2007. He reported that the Police Chief was asked to prepare a manpower study which was completed from the International Association of Chief of Police (IACP) staffing formula. The study showed that most of the area municipalities are in need of additional police time. He reviewed the figures for Dover Township. According to the number of calls and this IACP formula, in 1995, Dover Township was in need of an additional .8 officers (under one officer); in 2000, it was better at .6; in 2005, it should have been 1.23 officers; and in 2006, it should have been 1.2 officers. For the year 2007, Dover Township needs 1.31 officers in addition to the budgeted increase. He stated that according to the total number of calls projected for the year 2010, Dover Township will need an additional 3.18 officers. He recommended that the Board review this study.

Supervisor Hull expressed his opinion on Wrightsville Borough's decision to opt out of a regional police force to start their own police department.

Supervisor Shermeyer stated that she would like a complete cost analysis of a police unit done sometime in the future.

Supervisor Hull reported that the additional man purchased this year and in 2007 demonstrates the emphasis this Board places on public safety.

COMMENTS FROM THE PUBLIC PRESENT

Betty March, 2832 Grandview Avenue, questioned her comment from the previous meeting.

ADJOURNMENT

Motion by M. Shermeyer and second by C. Kann to adjourn the regular meeting at 8:25 PM. Passed with 3 ayes.