

**DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
JANUARY 13, 2014**

The Dover Township Board of Supervisors regular meeting for January 13, 2014, was called to order at 7:00 PM by Chair Monica Love in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Monica Love, Matthew Menges, Charles Richards, Stephen Parthree, and Stephen Stefanowicz. Other Township Representatives in attendance were Laurel Oswalt, Township Manager; Attorney Charles Rausch, Township Solicitor; Charles Farley, Public Works Director; and Trena Hall, Recording Secretary. There were 10 citizens in attendance. This meeting has been recorded for minute purposes only.

Prior to this meeting there was an Executive Session to discuss potential matters of litigation and personnel matters.

A moment of silence was requested for remembrance of those who stand in harm's way and their families, followed by the reciting of the Pledge of Allegiance to the American Flag.

APPROVAL OF MEETING MINUTES FOR DECEMBER 9, 2013

Motion by M. Menges and seconded by C. Richards to approve the meeting minutes for December 9, 2013, as presented. **Passed** with 5 ayes.

APPROVAL OF REORGANIZATION MEETING MINUTES FOR JANUARY 13, 2014

On page 11 of the meeting packet, the first paragraph, add *Assistant* before the words Secretary.

Motion by M. Menges and seconded by S. Stefanowicz to approve the reorganization meeting minutes for January 13, 2014, as amended. **Passed** with 5 ayes.

TREASURER'S REPORT

M. Menges noted that this dollar amount is high because the required payment of \$336,000, for pension, was due to the Northern York County Regional Police Department.

Motion by C. Richards and seconded by S. Parthree to approve the warrant total for January 13, 2014, in the amount of \$763, 530.97, as presented. **Passed** with 5 ayes.

PUBLIC COMMENT PERIOD

On the Agenda

Randy Lau – 504 Oakwood Drive – Accident on Fox Run Road – On December 6, 2013, Mr. Lau ran into a fire hydrant on Fox Run Road, to avoid hitting Township highway workers. The Township workers were cleaning up an oil mess at the request of the Northern York County Regional Police. Workers were occupying both lanes and he did not have enough notice to come to a stop. Because it was considered short duration work, PENNDOT regulations do not require signage or flaggers. This is considered a moving work zone. Mr. Lau was only present this evening to make the Township aware that the moving work zone safety requirements need to be improved for the safety of employees and drivers. He did fill out a right to know request asking

for the definition of a moving work zone and what the procedures are for a moving work zone, in a blind spot. Manager Oswald did respond with a written letter. Mr. Lau also received a letter from the Township's insurance carrier noting the Township had no liability in the matter. He was unsure why he received this letter.

M. Menges noted that this incident was reported to the insurance carrier since Township employees were involved and this is standard practice. The police report indicated that there was a rare combination of wet roads, the oily substance and that the workers were not made aware that the officer was no longer sitting at the site.

Chair Love did note that the Township will take this situation as a learning experience.

Catherine Lau, Mr. Lau's wife with the same address, stated that her husband's whole issue is safety and that there should have been warning of a work area ahead. The couple just wants to see changes made for the safety of the workers and drivers.

Andrea Crone – Shelly's Restaurant – Replacement of Water/Sewer Laterals

Ms. Crone was not present.

Not on the Agenda

Pam Sammons – 3611 Middleboro Road – Ms. Sammons addressed the Board and asked that they take another look at adopting the dog tethering ordinance. She has noticed a dog that is always tied outside at all hours and in all conditions of weather. She contacted the SPCA and was told that they cannot help because Dover Township did not adopt the dog tethering ordinance.

Chair Love noted that this ordinance has been considered and the ordinance does not address the many possibilities of exceptions. If the Board would like to examine the ordinance again, it can be done.

SOLICITOR'S REPORT by Attorney Charles Rausch

Approve Ordinance 2014-02 Amending the Dover Township Code of Ordinances, Section 26-138 (2), Inspections and Enforcement of Illegal Connections to the Sewer – This amendment concerns the inspections of sump pumps, down spouts, floor and foundation drains. It also amends the ordinance to include the option to allow the homeowner, if they do not want the Township to perform the inspection, to hire their own licensed plumber. If the homeowner does not follow through with an inspection, a surcharge will be issued for the illegal connection. The ordinance references that if the homeowner uses a licensed plumber, there is an approved infiltration inflow inspection report, from the Township, that can be used. The Township will keep suspected sources of I and I on file and determine in the future if the connection into the sewer would require disconnection.

Attorney Rausch noted that the ordinance has been advertised and is ready to be adopted.

M. Menges noted for the record, that there were fourth amendment constitutional issues raised concerning the requirement of the Township performing the inspection. The change of wording

will help the ordinance pass constitutional matters, but M. Menges still has the concern that this will give an out only for those who can afford to pay the surcharge or pay their own licensed plumber, but will not help those who cannot afford to do this. This may address the constitutional matter, but does not completely address the entire issue.

Motion by C. Richards and seconded by M. Menges to approve ordinance 2014-02 amending the Dover Township Code of Ordinances, Section 26-138 (2), Inspections and Enforcement of Illegal Connections to the Sewer, as amended. **Passed** with 5 ayes.

Attorney Rausch noted that this program is DEP mandated as the Township is under a consent order to address infiltration and inflow. Most residents have allowed the Township into their homes to complete this inspection.

MANAGER'S REPORT by Manager Laurel Oswalt

Approve Resolution 2014-04 to Amend the Township's Open Record Policy – Trena Hall will be added as an assistant and Dawn's last name has been changed.

Motion by M. Menges and seconded by S. Parthree to approve resolution 2014-04 to amend the Township's Open Record Policy by adding Trena Hall and changing Dawn's last name to Strausbaugh, as amended. **Passed** with 5 ayes.

Approve the Request of Waived Organizations for Building Rental Fees – This is for organizations that help with Township sponsored events. The Board noted that the Township can request groups to help, but cannot require them to assist with events.

Motion by M. Menges and seconded by C. Richards to approve the requested list of waived organizations for building rental fees, as presented. **Passed** with 5 ayes.

Acknowledge Michael Husson's Resignation from the Sewer Authority

Discuss Scheduling Interviews with the Candidates for the Various Boards and Commissions – There are four vacancies to fill and 5 candidates. Positions available are: two on the Sewer Authority, one alternate on the Zoning Hearing Board and one on the Code Enforcement Board. Manager Oswalt questioned if the Board would like to interview the candidates. Interviews can be scheduled for the next work session on January 27, 2014. The Board agreed.

Manager Oswalt displayed the two awards that were received from PSATS. The stormwater and recycling videos received 2nd and 3rd place for cable communication video programing.

OLD BUSINESS

Ordinance 2014-01 to Amend the Dover Township code of Ordinances, Designating Speed Restrictions on East Canal Road – Manager Oswalt is awaiting the official letter from PENNDOT. This letter will state that if the Township would like the sight distance issue addressed, the Township will need to have a traffic and engineering study completed.

The Board was asked if they wanted to discuss this matter now or at a future board meeting. They decided to wait until the letter arrived from PENNDOT.

COMMENTS/NEW BUSINESS FROM BOARD OF SUPERVISORS

C. Richards noted that the crews are doing a great job on the roads during all the recent bad weather.

S. Parthree stopped by the Fishing Show, noting that the event was very successful.

S. Stefanowicz visited the WWTP facility and was given a small tour. He spoke to Sophie and Tony about the continued issue of ground water and they mentioned the current personnel issue of being less one crew member.

Chair Love announced the April Stormwater Seminar “Preparing for the Storm”, will be held at the Manchester Municipal Building. More information will follow.

COMMENTS FROM PUBLIC PRESENT

Mrs. Lau asked if they should write a letter to PENNDOT to request the update of safety standards of a moving work zone. The Board thanked them for bringing attention to this safety matter.

With no further business, the meeting was adjourned by Chair Love at 7:44 PM.

Respectfully submitted by:

Trena M. Hall, Township Secretary