

**DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
JANUARY 26, 2015**

The Dover Township Board of Supervisors regular meeting for January 26, 2015, was called to order at 7:00 PM by Chair Matthew Menges in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Matthew Menges, Monica Love, Charles Richards, Stephen Stefanowicz, and Stephen Parthree. Other Township Representatives in attendance were Laurel Oswalt, Township Manager; Attorney Charles Rausch, Township Solicitor; Terry Myers, Township Engineer; Charles Farley, Township Public Works Director; Georgia Sprenkel, Township Zoning Officer; and Trena Hall, Recording Secretary. There were 7 citizens in the audience. This meeting has been recorded for minute purposes only.

A moment of silence was requested, followed by the reciting of the Pledge of Allegiance to the American Flag.

PUBLIC HEARING TO OPEN OAK HILL LANE FOR EMERGENCY ACCESS & UTILITIES

Terry Myers gave a quick overview of the Terra Vista Land Development Plan. The Developer is proposing to build apartment/condos. Original plans only provide one access into the development. The Planning Commission and the Board of Supervisors requested that an emergency access also be installed. The adoption of Oak Hill Lane would provide a gated emergency access and would also be a connection for the water main that would be looped back into the Rock Creek Development.

Chair Menges questioned what type of surface would be used for the access road. Mr. Myers noted that the proposed access road will be a paved 18' wide roadway with two sets of bollards and chains to prevent any normal use of the area. The bollards may be painted yellow and have identification signs on them. Pavers have been discussed but have been found not to hold the weight of the fire trucks as well. M. Love noted that she prefers that this area not be paved and to leave a base and sub-base so grass can grow through the gravel. Chair Menges questioned if an 18' width will be sufficient enough for a wide truck. Mr. Myers noted that this is the minimum size that can be used. He also noted that when this access is installed, delineators will also be put in so when there is snow or darkness, vehicles will know where to drive.

Christy Lawrence – 3520 Rock Creek Drive – Mrs. Lawrence was concerned where the chained gate will be installed. The gates will be on both sides of the dedicated 50' property line. One will be at the Terra Vista property line and the other will be at the end of the homeowner's property lines.

Jim Cashman – 3610 Rock Creek Drive – Mr. Cashman recommended a perforated, environmental rubber mat that would allow grass to grow up through it. This way the residents can continue mowing over it but will still have the needed support for heavy vehicles. Mr. Cashman noted that this is currently being used on a cul-de-sac access road in Ashley Farms.

Matt Forry – 3600 Rock Creek Drive – Mr. Forry has concerns of water issues in his basement and asked if this can be looked at when this project begins. Currently, where Oak Hill Lane comes off of Rock Creek Drive, this area sits higher than his driveway. Also, the asphalt is already broken up and makes it hard to maintain his driveway. Mr. Myers noted that C.S. Davidson can look into this.

Georgia Sprenkel noted that Mr. Cashman and Mr. Forry wanted to make sure that the Township was not interested in opening the 50' wide road for daily use. Chair Menges noted that the Board and plans submitted by Terra Vista do not indicate opening this area. Mr. Cashman inquired what the developer is looking to do with the property in this area. Mr. Myers noted that the area is not going to be utilized. The Terra Vista property is required to install landscape buffering such as deciduous trees, shrubs, evergreens, etc. There will also be a walking trail for Terra Vista residents. Attorney Rausch noted that the developer will be attending the last Board meeting in February and all parties with questions should attend.

Mr. Myers inquired if the property owners are in agreement with the Board to not pave this area and use an alternative method. The residents agreed to use an alternate method and noted that they believe there will be water issues. Mr. Forry has already put ground in this area to help absorb the water.

Mr. Forry inquired if his children's play equipment will need to be moved. No items can be in the 18' wide emergency access section of the 50' of dedicated area.

With no further comments, the Public Hearing for the Oak Hill Lane Public Access was closed at 7:25 PM.

APPROVAL OF THE WORK SESSION MEETING MINUTES FOR JANUARY 12, 2015

Motion by S. Parthree and seconded by M. Love to approve the work session meeting minutes for January 12, 2015, as presented. **Passed** with 5 ayes

APPROVAL OF THE MEETING MINUTES FOR JANUARY 12, 2015

Motion by M. Love and seconded by S. Stefanowicz to approve the meeting minutes for January 12, 2015, as presented. **Passed** with 5 ayes

TREASURER'S REPORT

C. Richards inquired if all issues have been resolved between Doli Construction and the Township. Mr. Myers noted that work is complete and although Doli Construction was not totally appeased by the settlement, they accepted it.

Motion by C. Richards and seconded by S. Parthree to approve the warrant total for January 26, 2015, in the amount of \$227,295.96, as presented. **Passed** with 5 ayes

PUBLIC COMMENT PERIOD

Not on the Agenda

Jim Cashman – 3610 Rock Creek Drive – Mr. Cashman inquired about the price range of the proposed housing being built in the Terra Vista area. He noted that lower income housing would not benefit this community. Chair Menges noted that the current preliminary plan proposes townhouse/condo style housing but final plans have not been submitted. Attorney Rausch noted that the area is zoned for multi-family dwellings and the Township has no control over what kind of housing is built. Attorney Rausch noted that the developer will be at the last February meeting and suggested that Mr. Cashman attend to ask these questions. Terry Myers noted that he will ask E.G. Stoltzfus to bring along some elevations of what they are proposing.

George Owen – Discuss Changing Mandated Rules on Garbage Collection – He was not present.

ZONING REPORT by Georgia Sprenkel

Georgia Sprenkel reminded the Board to keep reviewing the Zoning Ordinance. Attorney Rausch noted that the York County Planning is meeting tonight and comments should be received soon. Chair Menges inquired if the gentleman from the West Manchester Township Farmers Sportsman Association had sent in his concerns on ranges and backstops. They have not yet been received.

Manager Oswalt and Georgia Sprenkel recently had a conference call with Cohen Law Group on an issue with mini cellular towers. The PUC has given these cellular companies the right to put mini cellular towers in public right-of-ways. These towers can be installed without permission from the community. Ordinances need to be reviewed and updated to prevent and protect this from happening in Dover Township.

M. Love questioned if the Board would like to hold a work session on the Zoning Ordinance.

Board Consensus was to hold a work session and forward all questions and concerns to Ms. Sprenkel.

Ms. Sprenkel made the Board aware that Dawood Engineers, a company representing Glen Gery, has applied to DEP for a Large Non-Coal Industrial Minerals Mine Permit. This is for two farms at 4851 Davidsburg Road (Stambaugh and Jacob Farms) and at 3205 W. Canal Road (Reeser Farm). No plans are needed since they are within the proper Shallow Resource Recovery Zone.

ENGINEER’S REPORT by Terry Myers

No comments.

SOLICITOR’S REPORT by Attorney Charles Rausch

Approve Ordinance 2015-02 to Open Oak Hill Lane – This has been advertised for adoption. C. Richards asked if Terry Myers could address Mr. Forry’s water drainage problems.

Motion by M. Love and seconded by C. Richards to approve ordinance 2015-02 to open Oak Hill Lane and have C.S. Davidson address Mr. Forry's water drainage problems, as presented. **Passed** with 5 ayes

Approve Ordinance 2015-03 to Enter into an Intergovernmental Cooperation Agreement for the York County Regional Chesapeake Bay Pollutant Reduction Plan – This agreement was originally started back in August of 2014 but DEP did not approve the plan within the allotted time. This ordinance has been advertised for adoption. There have been no changes and the original financial commitment will remain the same. Chair Menges questioned if most municipalities are still participating. Attorney Rausch has not heard of anyone who is not.

Motion by S. Stefanowicz and seconded by S. Parthree to approve ordinance 2015-03 to enter into an Intergovernmental Cooperation Agreement for the York County Regional Chesapeake Bay Pollutant Reduction Plan, as presented. **Passed** with 5 ayes

Park Ordinance Changes on Regulations and Fire Arms – Attorney Rausch is working on changes to the Park Ordinance. Currently the ordinance states that you cannot carry or discharge any firearms and a list of other items in our parks. This should be changed to read that you cannot carry or discharge a firearm or the other listed items without legal justification.

MANAGER'S REPORT by Manager Laurel Oswalt

Approve Resolution 2015-05 to Amend the Designation of Items to be Recycled in Dover Township – Penn Waste has added cartons to the list of items to be recycled. The current resolution needed to be amended to stay in compliance when applying for recycling grants.

Motion by M. Love and seconded by C. Richards to approve resolution 2015-05 to amend the designation of items to be recycled in Dover Township, as presented. **Passed** with 5 ayes

Discuss Cohen Law Group Cable Franchise Audit Proposal – Dover Township participated with other municipalities for a 10 year joint franchise agreement about 4 years ago. This agreement allows the Township to audit back 5 year and see if Comcast has been paying the proper amount of franchise fees and has been paying it to the correct municipality. Dover Township currently receives around \$200,000 a year or more from this agreement. Cohen Law Group is agreeing to a joint rate structure to perform this audit for the municipalities who would like to participate. Currently, there are approximately 9 municipalities willing to participate in the audit. Enough money should be recompensed to cover lawyer fees and any found errors will now continue in the correct manner. This was not budgeted but could be adjusted out of legal fees.

Motion by M. Love and seconded by S. Parthree to authorize the Manager to engage Cohen Law Group to look into the cable franchise audit, if 6-9 municipalities are participating with the 17% discount, as presented. **Passed** with 5 ayes

Discuss 2015 Water and Sewer Budgetary Matters – The Water Department is in the process of purchasing a new pick-up truck for the crew chief and would like the Board's opinion on moving forward with the purchase.

Board Consensus was to move forward with the purchase of the pick-up truck for the Water Department and all Township projects until further notice.

Discuss Potential Revisions to the Public Comment Period Resolution – Some Board members showed interest in receiving meeting packets a day earlier to review. Information from residents, who would like to be on the agenda, would need to be received a day earlier, which would involve amending the resolution that was created in 2009. This would allow staff more time to gather information for the Board’s packet. Chair Menges would like to enforce having information from residents be in the packet so Board members are not being handed an issue that has not been seen by staff.

Board Consensus was to not make changes to the process.

Manager Oswalt received a request from the Greater Dover Area Dollars for Scholars to use part of the golf course for an 8-K run in May. Manager Oswalt has concerns on the liability of allowing people on this property, since the property is not insured as a park. Currently the golf course is not open to the public.

Board Consensus was that the golf course is not ready for this type of use.

PUBLIC WORKS DIRECTOR’S REPORT by Charles Farley

Approve Repairs to Robin Road – There is around \$105,000 left in the road improvements loan. Mr. Kern has suggested using this money on Robin Road. The proposed .08 mile section would be from Paradise Road to the Township line. This project has not been budgeted but the construction money was set up to perform road projects.

Motion by C. Richards and seconded by M. Love to add Robin Road to the 2015 Road Construction Improvements, not exceeding \$105,000, as presented. **Passed** with 5 ayes

Update on Property at the Former Crone’s Gas & Goodies – Currently this site is in a Characterization Mode and is being evaluated for how much of the contaminated plume is moving off site. At one point, this site had underground storage tanks that were leaking. It is reported that the plume is moving in the direction of well No. 9 which is located on Grenway Road. Mr. Farley is bringing this to the Board’s attention out of concern since this is the Township’s largest well. With the cooperation of neighboring properties, the Characterization Phase will continue with monitoring the well and surrounding properties. The second phase will be the Notice of Intent to Remediate (NIR). During this phase the Township will have the opportunity to state concerns and any long-term effects regarding well No. 9. The final report from DEP will take 3-5 years to close.

Currently there is leaking water coming through the wall between the former Crone’s Gas & Goodies and Anderson’s Car Wash. C.S. Davidson has recommended a trench improvement and the water will need to be sampled to make sure contaminated water is not coming off of the site.

M. Love questioned if construction will stop until this matter is resolved. Mr. Farley noted that construction will not stop but the letter from DEP will help to protect the Township.

C. Richards asked if well No. 10 is back in service in case well No. 9 would need to be shut down. Currently well No. 10 is still down and the supplier is coming to complete another start up test. C. Richards inquired if other wells can supply the Township if well No. 9 would be down. Mr. Farley noted that we would need to rely more on York Water.

Attorney Rausch questioned if Spotts, Stevens, McCoy provided any kind of testing recommendations to complete on well No. 9 and how often to test so there is a base line in case issues would arise. The Township has been performing tests and Mr. Farley will seek more clarity on the matter.

OLD BUSINESS

Board Goals

The Board would like to create a standardized way to handle complaints and inquiries from residents who go directly to a Supervisor. One suggestion was to have the website automatically copy the Manager on emails from residents that are clicking on a Supervisor's email address. This way the Manager can be in contact with the resident or at least be able to advise the Supervisor if another staff member has already been contacted on this issue. Attorney Rausch noted that the website will need to indicate that all responses will automatically be sent to both the Supervisor and the Manager unless the resident would email the Supervisor directly.

Chair Menges asked the Board if they agreed on allowing the Manager to handle these matters except for issues that are in regards to the Manager. S. Stefanowicz noted that he would like to be able to respond to the resident. Some Supervisors feel if asked a question on the spot, it is in your best interest to answer at that moment or ask for time to contact the Manager. If a Supervisor is contacted face to face or by email the first question to be asked is "Have you spoken to anyone at the Township building about this concern?"

Chair Menges noted that the Supervisors should read the ordinance which describes the Manager's position. Board Members should not be directly telling Township Staff to complete tasks. The Manager should be contacted and asked to direct a Staff Member to complete the task. The same as if a Township Staff Member would approach a Board Member with a concern except if about the Manager. Make sure internal steps are followed.

Board Consensus was to follow internal steps when asking for Township Staff assistance or for Supervisors assistance, unless issues are concerning the Manager.

Chair Menges suggested holding a work session for some of the other goals and objectives involving the golf course, Community Building, and Master Facilities Plan. He also suggested putting a status behind each goal with the progress, noting that the water and wastewater should be listed with an on hold status.

COMMENTS/NEW BUSINESS FROM BOARD OF SUPERVISORS

C. Richards was contacted by a resident asking if the Township will be tar and chipping all areas of the Lauer Trac. C. Richards explained that the roadways that were repaired were in poor conditions and there are only a certain amount of funds available. Currently not all residential areas are scheduled to have this type of work completed.

C. Richards noted that the public works crews have been doing a great job on the snow and ice covered roads. They have been especially great working with the school buses.

S. Stefanowicz registered to attend an Emergency Management session on Saturday, February 7, 2015.

S. Stefanowicz questioned an item discussed in the Fire Department's Report. There were a few properties of concern that were mentioned but there has been no further discussion to resolve the issues. The Fire Department has to service them but can declare them a dangerous building under the MPC. The Board of Supervisors cannot make this call. The Property Maintenance Code has not fully been adopted. Ms. Sprenkel noted that if a property needs demolished the Township can step in. The Fire Department is concerned for the safety of their volunteers.

S. Stefanowicz noted that there have been a few equipment demonstrations for the dewatering system at the WWTP. He provided paperwork on a proposed screw press.

S. Stefanowicz questioned if a small group would like to get together and start making some progress on the Master Facility Plan. He suggested that the proposed maintenance building should be completely energy efficient. The Board needs to reach a consensus of where this building will be located.

Board Consensus was to plan a work session and hold off on a presentation from C.S. Davidson.

M. Love spoke to Richard Farr from Rabbit Transit. She asked if they could extend service to the Community Building. He noted that they will put that into their 2015 Transit Development Plan which is discussed with the county.

M. Love noted that since the water and wastewater is put on hold, should the Board look at this matter from the other side as to why the Township should not sell.

Board Consensus was to have Manager Oswalt and staff gather information to share at a public work session.

Chair Menges questioned if there is any information on the vacant Shurfine lot. Manager Oswalt noted that sketch plans are anticipated to be submitted soon.

COMMENTS FROM PUBLIC PRESENT

No comments

There is no need for an executive session.

With no further business, the meeting was adjourned by Chair Menges at 8:45 PM.

Respectfully submitted by: _____
Trena M. Hall, Township Secretary