

**DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
JANUARY 27, 2014**

The Dover Township Board of Supervisors regular meeting for January 27, 2014, was called to order at 7:03 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; Terry Myers, Township Engineer; Karen Wilson, C.S. Davidson; Georgia Sprenkel, Township Zoning Officer; Charles Farley, Township Public Works Director; and Trena Hall, Recording Secretary. Brad Hengst, SEO was present. There were 15 citizens in attendance. This meeting has been recorded for minute purposes only.

Prior to this meeting there was a Work Session held to interview candidates to fill open positions on the Zoning Hearing Board, Sewer Authority, and the Codes Enforcement Board.

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.

Chair Love recognized the attendance of Boy Scout Troop #22. The troop is working on their Citizenship Award.

APPROVAL OF MEETING MINUTES FOR JANUARY 13, 2014

Motion by C. Richards and seconded by S. Stefanowicz to approve the meeting minutes for January 13, 2014, as presented. **Passed** with 5 ayes

TREASURER'S REPORT

Motion by C. Richards and seconded by M. Menges to approve the warrant total for January 27, 2014, in the amount of \$255,246.45, as presented. **Passed** with 5 ayes

PUBLIC COMMENT

Not on the Agenda

Ashley Spangler Jr. – 6260 Crone Road, Dover – Mr. Spangler was present to voice his concerns regarding his permit for the projects being completed at his existing business on Carlisle Road.

The first topic of concern is the black top area where they want to better the appearance and accessibility for the public. In October of 2013, he provided the proper building application and three sets of drawings for the required grading plans. After all paperwork was submitted, the permit was returned requiring Mr. Spangler to now include water infiltration. This will cost an additional \$5,000, aside from the needed culverts and piping. Mr. Spangler has reviewed the minutes from that first meeting and the subject of infiltration was never discussed. Mr. Spangler would have stopped the project immediately, if he had known all of this extra time and money was needed.

The second topic of concern is the approximate 2,500 square foot addition onto his current building, for storage use only. His application was turned in, with the required three sets of drawings. He is now questioning why MDIA is requiring an ADA compliant second bathroom with a water fountain. This will cost nearly an additional \$15,000 and will take over 100 square feet of the storage area.

Mr. Spangler would like to terminate the project but already has over \$20,000 invested. He is here tonight to find a middle ground with the Township.

Manager Oswalt noted that Mr. Spangler should first inquire with MDIA as to the reasons the bathroom is required, then he can file an appeal to the Codes Enforcement Board, if he is still unsatisfied. Manager Oswalt stated that the expanded size of the building may be the cause for the need of the additional bathroom. Commercial Building additions must meet Labor and Industry standards. The Board noted that there are requirements that the Township must meet and that the Township does not have the ultimate control of regulations.

M. Menges suggested having one of the Board members work with Mr. Spangler to make sure he is receiving the correct guidance on handling these situations.

Stormwater maintenance is still a concern. At the Planning Commission meeting a grading plan was the only item noted. Stormwater management was not discussed. Chair Love noted that Stormwater may not have been discussed but that does not mean the project isn't subject to Stormwater improvements. She apologized and noted that the issue should have been discussed. The Board suggested installing a rain garden. Engineered drawings are not needed for a rain garden, but the project must be approved by C.S. Davidson for the size and infiltration.

The \$1,400 permit fee came to question with all of the additional costs that keep occurring. The Board noted that most of these costs are requirements from DEP. Chair Love noted that the Township would like to work with Mr. Spangler and C. Richards will work with him to provide assistance in all matters.

Mr. Myers read from the Planning Commission Minutes, "on the second lot, they'd like to take the rear half of the lot, black top it, and move the bins of mulch and stone onto this lot. They would like to put the pavers on the paving as well to make it easier for customers to access. The impervious coverage would be calculated on its own, since this is a separate lot. This would be accessory use to the hardware store on the main lot. Would a land development plan be needed? Not likely. Yes, for a building permit and a grading permit." Mr. Myers then apologized that this matter should have been addressed. Everything was spelled out once the first plan came in.

Mr. Spangler asked if there is an amount of black top causing the project to go into a different category. Mr. Myers noted that any project over 500 square feet needs infiltration. There is a volume control requirement needed. Mr. Spangler also inquired if culverts will still be needed. Mr. Myers noted that a collection system is not needed; a berm can be put around the bottom.

C. Richards, Mr. Spangler and Terry Myers will arrange time to discuss this matter.

SEO REPORT by Brad Hengst

Dickie Williams – 4401 Pine Hill Road – Holding Tank Issue – The family has complied and moved the trailer off of the property. Now, they would like to apply for a permit to move a full-size mobile home onto the property. They are still willing to proceed with a holding tank and would like to meet all needed codes.

Mr. Hengst provided examples of other properties, in the area, that have holding tanks. If the Board declines this request the property will now have no value and will become a tax burden. It was noted that this was a developed lot, at one point, with septic and well. The property was vacant when the current owners purchased the lot. Mr. Hengst has spoken to Carrie Wilt, at DEP, and found that she will approve the holding tank even though there is currently not a malfunction. Mr. Hengst was hoping for a motion tonight to approve the application for a holding tank.

Mr. Hengst noted that the holding tank will be 2,500 gallons and will need to be pumped by the property owner based on the amount of water being used. The family will need to learn how to conserve water usage.

Attorney Rausch asked if there are any different conditions or restrictions that need to be addressed beyond the normal Township regulations. A separate agreement is not needed. The ordinance spells out the responsibilities of the township to have the SEO inspect once a year and collect the reports of their pumping, which is proof a licensed pumper is being used.

The Board questioned how DEP determines, if a system is malfunctioning and if a holding tank is satisfactory vs. repairing the malfunction. All options must be exhausted with a holding tank as a last resort. The Board discussed other options and one was to bring in clean ground, but there are still risks with this process.

The last time Dickie Williams was present the Board denied her a holding tank because this would have approved her for a building permit. Now the lot is vacant.

The Board thanked Dickie Williams for working within the Township's guidelines and giving the Board a second chance to look at her situation with a clean slate.

Motion by M. Menges and seconded by C. Richards to move forward with the conditional approval of an on-lot holding tank; with the condition being subject to DEP approval and the satisfaction of the Township's SEO, as presented. **Passed** with 5 ayes

Example of Groundwater Study for a Well Isolation Distance Waiver – Mr. Hengst provided a sample study, which shows the potential concerns outlined by the geologist and lists the benefits of the system. Costs for this study can be from \$900 - \$1,500 depending on the number of needed water samples. Mr. Hengst personally believes a geologist study provides the understanding of the area soils beneath the surface.

The last situation which was brought to the Board had a distance of 45 feet from the well. He believes the Township needs to adopt a policy as to when a groundwater study is needed or set a distance limit. The study can be determined on a case by case base.

Request the Approval of Resolution (assigned number) 2014-05 – This is for a sub-division, for Paradise Farm, that was approved as farm land but can house a home on the properties. All perks and probs have passed. The module is ready and is waiting for the adoption of the resolution. A permit cannot be issued until the module is approved by DEP.

Motion by C. Richards and seconded by M. Menges to adopt Resolution 2014-05 for the Plan Revision for New Land Development for Paradise Farm, as presented. **Passed** with 5 ayes

ENGINEER’S REPORT by Terry Myers

Mr. Myers presented a waiver request to Chapter 19, Section 301.11 of the Stormwater Management Ordinance for this single family lot at 5211 Harmony Grove Road. The applicant is proposing to construct a rain garden facility within the front building setback. They want to install a rain garden or retention pond. This facility will collect water from the driveway so it does not flow out unto the road. C.S. Davidson does not see a problem with this.

Motion by C. Richards and seconded by S. Stefanowicz to approve the waiver request for 5211 Harmony Grove Road according to Chapter 19, Section 301.11 of the Stormwater Management Ordinance, as presented. **Passed** with 5 ayes

SOLICITOR’S REPORT by Attorney Charles Rausch

He is still waiting for a response from the McNaughton’s.

MANAGER’S REPORT by Laurel Oswalt

Approval of the Lease Agreement with the Heritage Senior Center – The Senior Center agreed to the changes for the lease agreement. The cleaning schedule will be given to the Township, after the bids are awarded.

Motion by M. Menges and seconded by S. Parthree to approve the amended lease agreement with the Heritage Senior Center, as presented. **Passed** by 5 ayes

Manager Oswalt noted that there will be an executive session after the meeting to discuss some personnel issues.

PUBLIC WORKS DIRECTOR’S REPORT by Charles Farley

Discuss Future Sewer and Waste Water Treatment Plant (WWTP) Engineering Services Request for Proposal (RFP) Guidelines – With upcoming projects, Mr. Farley is seeking guidance as to when RFPs for engineering services for the sewer and WWTP systems should go out. He stated Buchart Horn (BH), the Sewer Authority’s retainer engineer, has in-depth knowledge of the Township’s systems and operations. He suggested keeping BH for routine engineering support services and to be a “Watch Dog” for larger construction projects going out for RFP.

The Township is looking into obtaining proposals due to concerns over costs. RFPs would be a great way to determine whether a better value is available. RFPs do become time consuming for routine and smaller projects. One suggestion was to go with a dollar amount of \$25,000 and above for the size of projects to put out for a RFP.

M. Menges voiced his concern about having a “Watch Dog”. This opens up the possibility of disputes between the two engineering firms.

Terry Myers raised the concern of bringing in a new engineer for every project. There will be no consistent understanding of the facility. In some matters it is good to have one firm with the understanding of the whole process of the plant. Maybe do a RFP for jobs that are not in conjunction with the actual plant performances. Example: an external building for storage.

The Board thought that BH should only be performing routine work and watching over major projects, as the Township Engineer.

Attorney Rausch stated before a decision is made, the agreements with Buchart Horn should be reviewed.

This issue will be put on hold until the agreement is reviewed.

OLD BUSINESS

Ordinance 2014-01 Amend Speed Restrictions on East Canal Road – The letter from PENNDOT stated that the Township has responsibility for the operation of the intersection. An engineering study would need to be completed. The Township can then apply to PENNDOT and the York County Planning Commission to have a project constructed when state and federal funds are available for the project. The 25 MPH is justified for this location. A minimum safe stopping sight distance of 147 square feet is needed and that distance is not available. The Township must match what the traffic study states or the speed limit is not enforceable.

Mr. Myers noted that this will help the situation but the intersection does need improvements to actually make it safer. Radiuses and grading are needed. He noted to add this Fox Run Road intersection to the needed street improvements.

Motion by M. Menges and seconded by C. Richards to advertise Ordinance 2014-01 to amend the speed on East Canal Road according to the PENNDOT traffic study, as presented. **Passed** with 5 ayes

Resolution 2014-03 to Confirm the Appointment of a Candidate to the Zoning Hearing Board –

Motion by M. Menges and seconded by S. Parthree to approve Resolution 2014-03 to confirm the alternate appointment of Robert Wright to the Zoning Hearing Board, as presented. **Passed** with 5 ayes

COMMENTS/NEW BUSINESS FROM BOARD OF SUPERVISORS

C. Richards noted that the fence at Village Square was cut and children were sledding down the hill into the basin area. The police were not contacted. Our crew repaired and put up NO TRESPASSING signs. Mr. Farley left a message, at the home of this incident, to return his call.

C. Richards stated that the plow crews have asked for enforcement assistance from the police when residents blow their snow onto the roads. It was suggested to put a notice in the newsletters to remind residents this is not allowed. The plow crews should call the office, if during office hours, and have office staff call police.

C. Richards questioned if cul-de-sac residents can be made to remove all cars off of the street. Residents keep cars out because they do not want their driveways plowed in.

C. Richards also noted that many man hours go into getting the trucks ready to start plowing. The cold, wet weather makes the salt harden like cement. This is a problem not only sitting in the building, but when loaded on the back of the trucks. Much time is wasted in breaking up the salt to load the trucks. He did note that the crews take very good care of the maintenance to vehicles.

S. Stefanowicz noted that he did attend the Sewer Authority meeting.

M. Menges noted that the Dover School District applied for a grant to get a School Resource Officer and it was approved. The School Board is now deciding if they want to move forward with accepting the grant. The school district would pay for 3 units of an officer, the Borough and the Township would need to decide whether to pick up the other unit. He believed it would cost the Township about \$13,000 in 2014. A decision is not needed until the School Board decides what they are going to do.

M. Menges provided information from Representative Seth Grove about a proposed Keystone Opportunity Zone. The object of this program is to help bring business to the area. Some requirements for this zone include taking unoccupied or underutilized commercial areas of no less than 10 acres and giving them tax incentives. The proposed area in mind is from the old Shurfine store down to Domino Pizza. The Township would have to take part in getting this area designated as a Keystone Opportunity Zone with the needed geographical and economical requirements. The business would have to meet requirements to get the tax breaks at the local and state level. Not every business is eligible. The business itself has certain qualifications to follow.

Manager Oswalt noted that she thought the school, county and municipality would need to be involved.

M. Menges indicated Representative Grove's willingness to participate in the process.

S. Parthree noted that he and Manager Oswalt attend the Economic Alliance Meeting on Thursday and many areas are leaning towards the TIF programs for redevelopment.

Georgia Sprenkel noted that the Planning Commission is trying to revamp the Industrial Park located off of Butter Road. They are discussing ways to draw more business to the area. The area is not very productive and truck accessibility is not good. Final reviews are needed before being brought to the Board in an ordinance.

Chair Love noted, from Glen Jansen, that the fire company was awarded \$12,486.03 to put towards their debt reduction.

With no further business, the meeting was adjourned at 9:30 PM into an executive session on personnel issues.

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