

**DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
APRIL 13, 2015**

The Dover Township Board of Supervisors regular meeting for April 13, 2015, was called to order at 7:20 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 Rausch, Township Solicitor; Charles Farley, Township Public Works Director; and Trena Hall, Recording Secretary. There were 30 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.

Prior to this meeting a work session was held consisting of Dover Township Staff Members presenting an overview of the Township's Water and Sewer Systems.

APPROVAL OF THE WORK SESSION MINUTES FOR APRIL 13, 2015

Motion by S. Stefanowicz and seconded by M. Love to approve the work session meeting minutes for April 13, 2015, as presented. **Passed** with 5 ayes

APPROVAL OF THE MEETING MINUTES FOR APRIL 13, 2015

Motion by M. Love and seconded by C. Richards to approve the meeting minutes for April 13, 2015, as presented. **Passed** with 5 ayes

TREASURER'S REPORT

Motion by C. Richards and seconded by M. Love to approve the warrant totals for April 10, 2015, in the amount of \$511,254.52, as presented. **Passed** with 5 ayes

PUBLIC COMMENT PERIOD

On the Agenda

Keith Stine – 3631 Holly Road – Discuss Poor Road Coating Choice in the Tower Drive Area – Mr. Stine voiced his concerns on how the Township came in during a three day period and tarred and chipped the roads very poorly. C. Richards noted that the roads were beginning to crack open from the tough winters. Funding was only available to blacktop one road and the other roads only received a sealcoat. Tower Drive will be totally redone because that was budgeted out of the Liquid Fuel Fund.

Mr. Stine noted how the stones from the road are very large and are flying up and chipping the paint on cars. Residents are concerned that these rocks will be a hazard in their yards when they begin mowing. Children cannot ride bikes or walk evenly on the road.

S. Stefanowicz inquired why a heavy grit stone was used. C. Richards noted he did not know why that size was used but did assure residents that the Township would come through and street sweep very soon. C. Richards provided his personal phone number to residents to call him as the stones loosened and needed swept again.

Not on the Agenda

Sue Fair – 2401 Cypress Road – Ms. Fair also spoke on the condition of the Lauer Tract roads. She noted that she cannot push her walker across the street to get her mail.

Madelyn Shermeyer – 3771 Admire Road - Mrs. Shermeyer inquired if a meeting would be held, as suggested, for residents to make comments and voice concerns regarding the lease/sale of the Water and Sewer Systems. Chair Menges noted that no further meetings have been discussed. Mrs. Shermeyer noted that this was unfair not to notify the public of meetings being held when the Board noted that they would from the January meeting. Some residents would like to be given the chance to voice their opinions on this matter.

Dennis Weaver – 3073 Jodi Lane – He has owned Sherry’s Ice Cream for 32 years and now also Denny’s Self Storage. After hearing this presentation he wanted to thank all of the people who help supply utilities to his business. They have done an excellent job and have been very professional to work with. He has no understanding of why the Board would want to sell the Water and Sewer Systems. He asked the Board what is needed to stop this issue from coming up again in the future. No comment was given.

Michael Husson – 1681 Park Street – Mr. Husson read an article entitled “United Water Seeks \$9.6 Million Dollar Rate Hike.” The article discussed how United Water was asking the PUC to approve a base rate increase of 9.6 Million to recover costs of Capital Investments across its 8 county service area. It was the company’s first rate hike since 2011. The increase was about \$9.09 per month which is about \$27.00 per quarter for an average customer of four. Currently a Dover Township resident pays \$32.00 a quarter. According to this article a resident would be paying \$95.00 a quarter. Township Water and Sewer projects should be the only ones at the mercy of the rate payers.

Lisa Byerts – 1850 Park Street – Mrs. Byerts attended the January meeting and had many unanswered questions. From the excellent presentation, given by the Manager and Township Staff, Mrs. Byerts now has many of her questions answered. She has resided in her home since

1986 and has had no issue with her water or sewer. Over this time she has been paying about \$792.00 a year. According to United Water's website, she would be paying an additional \$200.00 a year. We are a small community and she is very concerned about a company coming in and raising rates. Mrs. Byerts noted that the increase of money is not guaranteed to stay within our community. She does not mind paying for great service if it is staying within this community. Other concerns she voiced were: How long would a lease be; If the systems are sold will the Township ever have the chance to buy it back; If things don't go well are we stuck. She is also concerned about the additional costs to Township facilities; they should not have to pay for the water. She does not know why this subject is even being discussed.

Dave Thomas – 3315 Colby Lane – Mr. Thomas has been a resident since 1978. He noted that the presentation by staff was excellent. He was impressed that the residents were being educated and he wanted to know where that request came from. Chair Menges noted that M. Love made the request for the Township to give a presentation and the rest of the Board agreed. Mr. Thomas noted that he attended the meeting in January and asked the Board what the perceived benefit would be to have United Water purchase the Township's Systems. He believed it would have been in all of the Boards interest to let all of the residents know the "state" of the Township's Water and Sewer Systems. He is confused why only one supervisor was interested and the rest just went along. Chair Menges noted that there was a motion to table the discussion and at that time is when M. Love presented the idea to allow the Township staff to put together a presentation. Mr. Thomas noted that he also asked, at the January meeting, if United Water had come on their own or if they had been requested to come by the Township. He was told that they came on their own. After tonight's presentation, Mr. Thomas is asking what United Water saw in Dover Township to come and present what they could do better then what is already being done. Chair Menges noted that Untied Water is not the only entity interested in buying or leasing the Township's assets. He has been contacted by many more businesses.

Duane Hull – 2220 Locust Road – Mr. Hull was present to discuss the stone issue in the Lauer Tract area. He noted that if the Township knew the stones were not holding, they should have starting street sweeping immediately in this area. Mr. Hull also noted that many of the elderly residents are not capable of raking the stones out of their yards. C. Richards noted that he will work on this issue.

Scott Baughman – 2360 Tower Drive – Mr. Baughman has lived at his residence since September of 1990 and noted that Tower Drive is in the worst shape since he has been there. He finds chunks of macadam in his yard and his wife had to replace a wheel on their car after hitting a pothole on this road. On a positive note, he was happy with the Stormwater work that was done in that area. Board members and Manager Oswalt noted, this section of road is scheduled to be paved in the next few weeks.

SOLICITOR'S REPORT by Attorney Charles Rausch

Approve Ordinance 2015-05 Amending the Dover Township Code of Ordinances, Chapter 26, Part 1, "Water, Sewer and Sewage Disposal" – This ordinance will replace the current Sewer Access Rights Program with a more standard purchase of permits as you need them instead of reserving EDU's. This ordinance will also stop transfers of EDU's. The Board would only be able to authorize the selling of EDU's between developers/individuals. This ordinance has been advertised and ready for adoption.

Motion by S. Stefanowicz and seconded by M. Love to adoption ordinance 2015-05 amending the Dover Township Code of Ordinances, Chapter 26, Part 1, "Water, Sewer and Sewage Disposal", as presented. **Passed** with 5 ayes

Approve Authorization to Sign Verizon Lease Agreement and Shentel PCS Site Agreement – These cell tower agreements are for the Admire Road water tank. T-Mobile is currently on the tower and Verizon and Shentel PCS would also like on this site. They have agreed to install a corral on top of the water tank which will fit all of their equipment. All exhibits and technical details have been work out. The lease agreements are ready for approval.

Approve the T-Mobile "Rent Abatement Agreement" for the Admire Tank Corral Project at the same time – This agreement notes that T-Mobile is already on the water tank and they will have to relocate their equipment in order for the corral to be installed. T-Mobile estimated that their revenue loss will be around \$4,488.00. They requested to receive a rebate on their rent of \$188 a month. Attorney Rausch noted that is agreeable because they will be sustaining some financial loss in this process.

Motion by M. Love and seconded by S. Stefanowicz to authorize the Verizon lease agreement and the Shentel PCS Site Agreement to be signed, as presented. **Passed** with 5 ayes

Motion by C. Richards and seconded by M. Love to approve the T-Mobile "Rent Abatement Agreement" to be signed, as presented. **Passed** with 5 ayes

MANAGER'S REPORT by Manager Laurel Oswalt

Manager Oswalt noted that an executive session is needed for union contract issues and personnel matters. She also reminded the Board that an additional work session is needed after the Board meeting to interview an EMC candidate. She also passed a positive note to the Board, from Mr. Richard Frank who lives in the Lauer Tract, complimenting the Township's leaf collections and winter plowing.

Chair Menges asked Manager Oswalt if there was any information on the acquisition of property. Manager Oswalt has a call in to this gentleman and has not heard back from him.

S. Stefanowicz asked if there was any more information received on the repair of the Borough Tanker Truck. Manager Oswalt has not received a quote from the Borough.

S. Stefanowicz also inquired what the situation is on the mercantile tax. Attorney Rausch noted that recent cases wanted adjustments on mercantile tax. This depended on if a temporary person worked 15 days or less they would not owe tax in that jurisdiction because it is only temporary work. Other issues were on leases, lease rental is not considered to be taxable under the business privilege tax. Manager Oswalt noted that the Township needs to better detail our regulations. Attorney Rausch will work on amending the ordinance.

PUBLIC WORKS DIRECTOR'S REPORT by Charles Farley

Approve to Sign BH Proposal for "Phase II Sewer and Manhole (Bidding Services)" – This \$16,500 proposal is for the relining project in the Lauer Tract, Cypress South Subdivision and a segment along Davidsburg Road. This will provide all information needed for the bidding services and provide recommendations to the Sewer Authority. This was budgeted. Chair Menges questioned the dollar amount. M. Love noted that this dollar amount is on track if the specifications, engineered drawings, etc. are included. This payment amount is the same price as the Canal Road Project.

Motion by S. Stefanowicz and seconded by C. Richards to approve the signature on the BH Proposal for "Phase II Sewer and Manhole (Bidding Services)", not to exceed \$16,500, as presented. **Passed** with 5 ayes

Approve to Sign Change Order 01 of AM-Liner East Inc. 90 Day – No Cost Extension – The contractor is asking for an extension because of a late start and the hard winter weather. Chris Hamme noted that the lining part of the job will be complete in the next week. The contractor is coming the beginning of May and work should be completed before the requested 90 day extension.

Motion by M. Love and seconded by S. Stefanowicz to sign the Change Order 01 of AM-Liner East Inc. 90 day no cost extension, as presented. **Passed** with 5 ayes

Approve to Sign Stephenson Equipment, Inc. (SEI) "Rental Contract" for a New Tiger Boom Mower Package (includes John Deere Tractor) – This tractor being rented is replacing the 2004 Sewer tractor that caught fire while snow plowing. Chris Hamme noted that this tractor has had many maintenance issues over the years and parts are difficult to find. The tractor has had over \$86,000 worth of repairs since being purchased. The consideration of purchasing a new

tractor has not been budgeted. Insurance is applying \$5,000 towards the first month of rental. The Township will need to pay \$5,300 every month for the next 5 months to rent this tractor. All rental payments would be applied to the purchase of the chosen rental tractor. First payment would be due in 2016 and would be budgeted. Payments would be budgeted and made for 2017 and 2018.

The Board needs to discuss the rental and potential thoughts to purchase the tractor that is being rented.

S. Stefanowicz questioned if the Board agreed to rent the tractor and not purchase yet, would the Township need to agree to purchasing that equipment today. A decision is not needed on the purchase at this time.

Chair Menges inquired if staff researched the equipment we are renting and if this is the piece we are interested in purchasing. Staff has research and is interested in this proposed John Deere Tractor and Tiger Mower Combination.

Chair Menges asked if the tractor has insurance coverage to make the repairs which is a separate amount from the \$5,000 towards rentals. The Township deductible is \$1,000 and the insurance is paying the \$35,000 for repairs. The insurance company believes the tractor is fixable. Chair Menges noted that if we use the insurance money to repair the tractor then we should use the tractor once repaired.

The Board discussed fixing the damaged tractor and then turning around and selling it, which Chair Menges inquired why we would even think to sell the tractor and possibly not even get what insurance put into the tractor. Another suggestion was to apply the insurance money to the purchase of a new one and scrap the damaged tractor.

S. Parthree inquired what the tractor will be worth once fixed. Only the tractor will be valued at \$50,000 - \$80,000 when fixed. This figure does not include the accessories.

C. Richards and Township Staff are concerned that not knowing what caused the tractor to catch fire, this could happen again with the possibility of an employee getting hurt. C. Richards again suggested applying the insurance money towards a new tractor. Mr. Farley noted that Chris Hamme and Glenn Kern would like to see the tractor replaced so there are not repeated issues.

S. Stefanowicz inquired if we do move towards a new one why are we buying from the company that makes the mower, why not go to the manufacturer of the tractor and have the mower put on.

Manager Oswalt reminded the Board if the purchase is not through the COSTARS program a bid will need to be put together and announced. Staff has looked at the tractor purchase in this manner because of using COSTARS pricing.

Chris Hamme noted that maybe the tractor fixed would sell for more than \$34,000 and then could be put towards a new tractor. The Board inquired what the value of the tractor would be unrepaired. All accessories (plow, push mower, and boom mower) would be sold. S. Parthree asked if Stevenson or John Deere would take the accessories as a trade. This was never discussed.

Mr. Hamme noted that the Stephenson salesman is of the understanding that the Township will not be making a purchase this year. Purchasing of a plow can also be budgeted for at a later date.

Board Consensus was to have staff look further into all the mentioned options to purchase a new tractor and repairing the damaged tractor.

Motion by C. Richards and seconded by S. Parthree to approve the (5) month lease with Stevenson Equipment, as presented. **Passed** with 5 ayes

Manager Oswalt will have Dawn Strausbaugh inquire with the insurance company if a check can be cut and put towards the purchase of a new tractor.

OLD BUSINESS

A date is needed to visit other municipality maintenance buildings. The Board agreed on May 1, 2015 in the morning. Manager will call and set up appointments and get back to Board.

COMMENTS/NEW BUSINESS FROM BOARD OF SUPERVISORS

M. Love wanted to thank the staff who worked on the presentation this evening.

Chair Menges noted that he stopped at the recent water break at Emig Mill Road and Route 74. It was interesting to see how this issue was handled and noted that the crew did a good job on getting this handled promptly.

C. Richards noted that from the water break at Emig Mill Road the road buckled and now that area of Emig Mill Road will need to be blacktopped. They will tear up about 50' of road from Carlisle Road to where the break was. This was not budgeted for.

COMMENTS FROM THE PUBLIC PRESENT

Keith Rice – 5281 Paradise Road – Mr. Rice noted that Salmon Run Road was redone a few years ago. His point is that only two people live on this road and it is now a drag strip. Roads

like this should not even be redone. He questioned why Robin Road is on the list to be repaired. He noted to save the money and apply it to heavily traveled roads. C. Richards noted that this road is only being patched. Chair Menges noted that roads become more expensive to fix if not repaired early.

With no further business, the meeting was adjourned at 8:39 PM into a work session on interviewing for an EMC.

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