

**DOVER TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
APRIL 28, 2014**

The Dover Township Board of Supervisors regular meeting for April 28, 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; 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.

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 MARCH 24, 2014**

**Motion** by M. Menges and seconded by S. Parthree to approve the meeting minutes for March 24, 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 April 4, 2014, in the amount of \$248,274.26, as presented. **Passed** with 5 ayes

**Motion** by C. Richards and seconded by S. Parthree to approve the warrant total for April 14, 2014, in the amount of \$1,712,340.38, as presented. **Passed** with 5 ayes

S. Stefanowicz questioned the York County SPCA amount. This amount is based on the population of the township at .50 per capita and is used to help house stray animals from our municipality.

**Motion** by M. Menges and seconded by S. Stefanowicz to approve the warrant total for April 28, 2014, in the amount of \$228,933.09, as presented. **Passed** with 5 ayes

**RECOGNITION OF EAGLE SCOUT**

**Approve Resolution 2014-12 to Recognize Skyler C. Lackey with the Rank of Eagle Scout –**

**Motion** by M. Menges and seconded by C. Richards to approve Resolution 2014-12 to recognize Skyler C. Lackey with his Rank of Eagle Scout, as presented. **Passed** with 5 ayes

C. Richards presented Skyler with the approved resolution. He earned his Eagle Scout Rank by remodeling the roof and charcoal pits at the Seven Valleys Fire Company.

**PUBLIC COMMENT**

On the Agenda

**Laura Gurreri – York County Convention and Visitors Bureau – Update on PA Tourism –**

Ms. Gurreri was present to give an update on Pennsylvania Tourism in York County. The Visitors Bureau is a private Non Profit business with a membership base of over 300 York County businesses. Some local businesses in Dover include Miss Lucy's Dog Treats, Barefoot Farms and the Shoppe American Made. Sporting events are a large source of tourism for York County. A new event offered this summer is the York Can-Am Police-Fire games being held at various locations around York County. There are a lot of great events on the horizon to help bring more tourism dollars into the county.

**John Kildea – 3715 Village Road – Raw Sewage Surfacing in Backyard –**

Mr. Kildea was present to explain the raw sewage issue, around the concrete sewer manhole cover, that is beyond his backyard. When there are heavy rains, raw sewage shoots up about 3 to 4 feet into the air from holes around the cover. This dirty water is full of toilet paper and feces and is running into the creek area. After a storm, he will call the Township and then crews are sent out to clean up the mess and spread lime. This has been continuing on for the last three years.

Mr. Kildea wanted to make sure that the Board was aware of this issue. He questioned if the Township was addressing the leaks in the sewer lines. Last year the sewer crew televised the lines and he never heard what the results were. This problem seriously needs to be resolved.

Chair Love noted that the Township is actively involved in trying to resolve the inflow issues into the sewer system.

**Carol Schroll – Concerns on New AGRI Business Near Big Mount –** Not in attendance.

**Keith Rice – 5281 Paradise Road – Concerns on Life Style Foods on Paradise Road –**

Mr. Rice was unhappy with the advertising of this hearing. He does not travel in the direction of where the signs were displayed and the letter that was sent was addressed to his parents. He found out about this hearing through his neighbor, after the hearing took place. The Zoning Hearing was advertised as being on 5107 W. Canal Road and not Paradise Road. Many residents are against the tractor trailer traffic and he especially is against where the business driveway will be located.

Mr. Rice noted that many of the residents were not notified. Georgia Sprenkel stated that they were notified in writing, signage on the property site and newspaper advertisement. The property owner of 5107 W. Canal Road held a meeting with some of the neighboring property owners to try and answer some of their concerns.

Chair Love noted that the municipality has followed the Municipalities Planning Code requirements for notification. The Zoning Hearing Board only approved the business's special exception application. This matter will need to come before the Planning Commission for land development. This would be the time to voice his opinion.

Not on the Agenda

**Debra Rinehart – 735 Linden Avenue, York, PA –** Ms. Rinehart is a managing member for Pro Electric, LLC. This is a woman owned small business in York County and has been in

operation for 9 years. In June 2009, her company was hired to construct the project to expand and upgrade the Dover Township Waste Water Treatment Facility. The project was completed in July 2011. To date, Pro Electric has not been fully compensated from the Dover Township Sewer Authority. The cash funds that were deposited with the Sewer Authority at the start of the project, to guarantee the completion of the work, have not been returned as required by the written agreement. The balance of the retainage is also owed. This project involved multiple contractors including Gallaway Bay who noted Pro Electric was the reason for the project delays. Ms. Rhinehart disputed Gallaway Bay's claims. Ms. Rhinehart is asking the Dover Board of Supervisors to compel the Authority to return the deposit and pay the outstanding debt. Pro Electric will then use these funds to recover the expenses and damages. She has been contacted by Attorney Roy S. Cohen of Cohen, Seglias, Pallas, Greenhall, and Furman PC, a construction litigation firm.

**Bradley Rinehart – 735 Linden Avenue, York, PA** – In 2009, Mr. Rinehart was asked, by Pro Electric, to manage the electrical construction of the Dover Township Waste Water Treatment Plant. In August 2009, Pro Electric had completed the scheduled demolition work. On this project, the Electrical Contractor performed the wiring and energizing of the pumps and motors. A flaw had been discovered with the proposed draft for the ductbank from the control building to the oxidation ditches. The ductbank would have to enter the control building aerially and not underground as planned. While calculating the new design and using more time, another error was found. The specified sizes of the conductors were too small. These errors were found before the construction of the project began and were discussed with the engineer. Other errors were found along the way, resulting in change orders and project cost increases. Mr. Rinehart thought his found errors and bringing attention to the engineer and the Sewer Authority would promote him and not penalize him.

**County Commissioner Steve Chronister – 2310 Fairway Drive** – Mr. Chronister was present in support of the Rinehart's. He provided information to the supervisors explaining how the General Contractor delayed Pro Electric on being able to complete their job in a timely matter and other articles of information. There were time stamped copies of pictures from the Dover Township Sewer Authority's website that proved that Pro Electric in no way, could meet any of the deadlines. This project was completed in the summer of 2011 but should have been completed in the fall of 2010. Mr. Chronister was asking the Board to investigate the Rinehart's matter with Sewer Authority.

**Madelyn Shermeyer – 3771 Admire Road** – Mrs. Shermeyer was present to let the Board know that she received a phone call from Mr. Merle Gross, noting that Mr. Rice will be the one impacted the most. Neighboring property owners met with Jason Brose and discussed the project. The main issue in question is the road.

**William Stevens – 2071A and 2061A Park Street** – Mr. Stevens was present to request a void and combine letter from the Township. He is a 100% disabled Veteran. Veterans that are homeowners are considered to be tax exempt. He originally purchased 2061A and later purchased 2071A to convert into one home. Today, he is asking for the two attached properties to be considered one property since the Veteran's Administration will only cover the home that you live in.

The York County Assessment office needs a written notice, on Township letterhead, stating to void the one parcel ID number and combine that parcel into the main parcel ID. The Board needs to agree to do this. If accepted this would be effective the first of the month after the assessment office receives the letter from the Township. The Township can also exonerate any property taxes for the current calendar year up to that point.

Attorney Rausch did some research and the property has been subdivided and then combined without any subdivision plans. The two lots are combined but have two separate parcel ID numbers. Attorney Rausch had no objections to clarifying this as one property. Anymore subdivisions need to go through the correct process.

**Motion** by M. Menges and seconded by S. Parthree to authorize the Township Manager to send a written letter to the assessment office voiding parcel ID number 180 and combining it with 179, as presented. **Passed** with 5 ayes

**Motion** by M. Menges and seconded by C. Richards to exonerate parcel number 180 from Township taxes, from January 1, 2014 through the approval date established by the assessment office, as presented. **Passed** with 5 ayes

#### **RECREATION DIRECTOR'S REPORT by Kristal Kennedy**

**Approve the Special Event Permit Application** – When renting to larger community groups, there are many issues that arise. A Special Event Permit was suggested so the Township would know what is involved with the event. Sometimes a port-a-john, large tents or inflatables will be brought onto the property without the knowledge of the Township. Some events should have police for public safety and extra insurance coverage may be needed. This application will also describe where the tents/inflatables will be positioned and may bring attention to if the whole park should be rented or to not allow other rentals in that park. The provided information will also eliminate participants from having to attend a Board meeting for approval of allowing vendors at the event.

There will be a \$50.00 application fee which will be taken out of the rental fee. This fee will help with the needed repairs from the damages done to the sport fields and park area. A \$200.00 rental fee will be asked for the rental of Lehr Park if a large event is planned and the community room would not be able to be rented out. This would apply to events of 125 or more.

A map of the park was suggested, for the applicant to explain where items will be placed. Another suggestion was to ask for some of the application information after the application is approved.

**Board Consensus** was to have Mrs. Kennedy simplify the application and have a more defined policy rental to put into effect.

**Approve the \$50.00 Sponsorship for the Little Eagles Football Camp** – The Little Eagles Football Camp, held by the Dover School District is asking for a \$50.00 sponsorship for a child

to attend football camp. Last year some of the high school football players helped at the electric recycling event and some will be helping again this year.

**Motion** by C. Richards and seconded by S. Parthree to approve the \$50.00 donation to help sponsor the Little Eagles Football Camp, as presented. **Passed** with 5 ayes

**Approve the Dover Community Park and Mayfield Park Surfacing** – During the past few floods, Dover Community Park and Mayfield Park have suffered significant surfacing damage. Both parks need around \$10,000 in repair work. This cost was not in the 2014 budget since the damages occurred after the budget approval. Repairs are needed at the Dover Community Park before summer playground begins in June.

The Board discussed redefining the creek and a few other options.

**Motion** by C. Richards and seconded by S. Parthree to approve the \$20,087.40 for the wood chip surfacing at Dover Community Park and Mayfield Park, as presented. **Passed** with 5 ayes

#### **ENGINEER'S REPORT by Terry Myers**

**Well No. 10 Update** - Karen Wilson updated the Board on Well No. 10. The equipment manufacturer (Siemens) had their representative onsite Tuesday, April 2, 2014 for the startup. That day, the Siemens representative realized that he incorrectly disinfected the equipment with chlorine bleach which ruined the filter media. The startup had to be delayed until April 15, 2014. Equipment training was scheduled for April 22, 2014. Now the required 15 acceptable test results are being obtained with only one test per day. When the tests are complete, DEP will be contacted to come inspect everything for the operations permit. Well No. 10 should be in use by the end of May 2014.

**Pine Road Water Line Replacement Project** – Terry Myers was present to review the scope of this project, including the scheduling and the budget. This project will include replacing the 6” asbestos cement piping with a new 8” ductile iron main on Pine Road, from Carlisle Road to a point just beyond High Street. New services and curb stops are also provided. The Dover Township Water Department requested the extension of this project to Royal Street. The same work will also be completed on Carlisle Road from Emig Mill Road to Pine Road. Additional work to connect three existing mobile homes on Prospect Avenue to the curb stops will be necessary. This replacement work will help the water line system since this is the highest pressure point area. This project is being coordinated with Columbia Gas’s main replacement project.

Comments from PENNDOT were minor and the issues have been addressed. The PENNDOT Highway Occupancy Permit Application has been resubmitted with the required check.

If the Board authorizes this project, advertising will be Friday, May 2, 2014 and next Wednesday, May 7, 2014. Pre-bid meeting will be Thursday, May 8, 2014. The bid opening will be May 22, 2014 and awarded at the May 27, 2014 Board meeting. The contract would begin in June with a 90 day construction period.

An estimated cost analysis of the three projects is around \$590,000 with a 5% contingency. Engineering with full-time inspections will be included in the 15% range of the overall project cost. The total estimated project cost is around \$675,000.

The addition of High Street and PENNDOT's requirement to stay out of the travel lane when laying the waterline increased the cost. Now, milling and overlaying a section of Carlisle Road is required.

Manager Oswalt inquired if the cost estimate included work that Columbia Gas will be helping to pay. Mr. Myers noted that the project contract only includes bituminous binder trench restoration on Pine Road, but the cost estimate includes a wearing course with the trench restoration. The \$60 a square yard for trench restoration includes a wearing course on Pine Road which will not be included in the contract. The binder will eventually get covered with a new full wearing course overlay under the agreement with Columbia Gas.

M. Menges was unsure about replacing the service line on Pine Road because of the long term goal for that area. He suggested replacing the main service line from High Street and Royal Street instead of Pine Road. This project on Pine Road may take years to complete and maintenance is needed now. This is the main service line from Well No. 3.

Mr. Myers suggested separating out the High Street project as an alternate in the bidding. He also suggested working a deal with Columbia Gas to hold off on applying the wearing course to Pine Road until there is a better determination of the grants.

M. Menges questioned if property owners who take advantage of the future grants can stay hooked up to the old pipe. All properties must transfer over to the new piping.

**Motion** by M. Menges and seconded by C. Richards to advertise the Pine Road Water Line Replacement Project and include High Street as an alternative project, as presented. **Passed** with 5 ayes

Chair Love inquired about the Meadowview Bridge. Manager Oswalt noted that there is a preconstruction meeting scheduled for tomorrow.

#### **SOLICITOR'S REPORT by Attorney Charles Rausch**

No business to report

#### **MANAGER'S REPORT by Manager Laurel Oswalt**

**Approve Resolution 2014-13 Proclamation for "National Public Works Week", May 18-24, 2014** – A lunch will be provided for the crews.

**Motion** by C. Richards and seconded by S. Stefanowicz to approve Resolution 2014-13 Proclamation for "National Public Works Week", May 18-24, 2014, as presented. **Passed** with 5 ayes

**Approve the Agility Agreement from PENNDOT on the Salt Exchange for Bridge Street Sweep Cleaning** – The local York County PENNDOT approached the Township about

exchanging 5,000 lbs. of salt brine for street sweeping PENNDOT bridges in the Dover Township area. This would be a 5 year contract and would not be an inconvenience to complete.

**Motion** by C. Richards and seconded by S. Parthree to approve Resolution 2014-14 authorizing the Agility Agreement between Dover Township and PENNDOT, as presented. **Passed** with 5 ayes

**Authorize, Execute and Record the Meadowview Road Bridge Covenant** – This document needed to be authorized, signed, recorded and returned to PENNDOT.

**Motion** by S. Parthree and seconded by M. Menges to authorize Chair Love to sign, executing the Meadowview Road Bridge Covenant and to have the Covenant recorded, as presented. **Passed** with 5 ayes

**Approve Manager Oswalt to Request a PEG Channel Change to Comcast** – York City PEG Channel is requesting the Board to consider writing a letter to Comcast to make all of Dover be part of the York feed area for cable service. There are many who like to see the Dover School Board Meetings on the York City PEG Channel.

**Motion** by M. Menges and seconded by C. Richards to authorize Manager Oswalt to request a PEG Channel change so that Comcast can provide the York Feed to all of Dover Township, providing that it does not cause a disturbance in the channel lineup, as presented. **Passed** with 5 ayes

**Award the 2014 Road Materials and Projects** – The following are the Road Forman's recommendations. MS-944 Contract One for 1A and 1A Alt was awarded to Kinsley Construction and 1B and 1B Alt was awarded to Shiloh Paving. Contract Two for 2A and 2B was awarded to Recon Construction Services. Contract Four for 4A was awarded to Hammaker East Ltd. MS-963 for A – A7 was awarded to Vulcan Materials, A8 – A13 was awarded to Kinsley Materials, B – B3 was awarded to York Materials Group and B4 was awarded to Stewart and Tate. MS-970 for the Dump Truck-Tandem Rear Axle , Vibratory Tandem Roller and the Track-Type Excavator 150 SAE was awarded to Shiloh Paving, the Road Reclaimer-8' cutting width was awarded to Recon Construction Services, and the Road Widener-Self Propelled and the Milling Machine-Variable width was awarded to Wilson Paving.

**Motion** by M. Menges and seconded by C. Richards to award the 2014 Road Materials and Projects Bids according to the recommendations by the Road Forman, as presented. **Passed** with 5 ayes

**Authorize Chair Love to Sign the Easement for 3150 Ruppert Road** – The Township Engineer has reviewed the situation and improvements are needed. The property owner is agreeable to signing the easement.

**Motion** by S. Parthree and seconded by C. Richards to authorize Chair Love to sign the easement agreement for 3150 Ruppert Road, as presented. **Passed** with 5 ayes

Manager Oswalt reminded the Board that the Road Tour begins at 4:00 PM tomorrow night.

**PUBLIC WORKS DIRECTOR'S REPORT by Charles Farley**

**Approve a 25% Surcharge on Sewer Bills to Property Owners Who did not Respond to the Basement Inspections** – Mr. Farley asked the Board's permission to surcharge the approximately 20 property owners in the Lauer Tract and the Cypress South Subdivisions. These owners did not respond to the numerous requests allowing for a basement inspection for the improper connection to the sewer system. Attempts were made by a door hanger, two regular mailings, and two certified mailings. The surcharge language was noted on the letters.

**Board Consensus** was to remove the surcharge on future billings after the homeowner completes the basement inspection.

**OLD BUSINESS**

**Potential ICDC Candidate** – Benjamin Bode is a commercial realtor who resides in Dover.

**Motion** by S. Parthree and seconded by M. Menges to appoint Benjamin Bode to the ICDC Committee, as presented. **Passed** with 5 ayes

**Replacing the Fire Department's 2001 Ford F350 Utility Truck with a 2015 F250** – Some Board members were unsure of the reasoning for replacing the truck. If this vehicle is being used mainly to haul volunteers maybe a different type of vehicle should be looked at. If the vehicle is not going to be replaced, they will need to spend the money to maintenance the truck.

Glen Jansen reported to Chair Love that the fire department received a \$17,500 search camera from PEMA for their involvement in technical rescue. He also noted that \$12,000 was received from the state in a grant form that will be used towards the reduction for the utility truck payment. After the new truck is received, the old truck will be advertised on Municibid. That money would go back in to the reserve fund.

**Motion** by C. Richards and seconded by S. Parthree to approve the purchase of the 2015 F250 pick-up truck and the selling of the used F350, as presented. **Passed** with 4 ayes and opposed by M. Menges

**COMMENTS/NEW BUSINESS FROM BOARD OF SUPERVISORS**

S. Stefanowicz noted from that there will be plant tours being held for the 5<sup>th</sup> graders and any employee can come take part in the tours.

S. Parthree attended the PSATS Convention and it was very informational.

C. Richards noted that the MS4 meeting was very informative. The demonstrations were great.

Chair Love noted that the next MS4 seminar will take place in September or October of 2014 and the location will be in Dover. She also noted the gentleman's demonstration of geology through the example of a fish tank. The combined municipalities are going to look into purchasing one of the tanks with the possibly of having it paid through a grant.

Chair Love and C. Richards thanked Terry Myers for his participation in the seminar.



With no further business, the meeting was adjourned by Chair Love at 9:45 PM into an executive session to discuss the Pro Electric Litigation.

Respectfully submitted by:

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Trena M. Hall, Township Secretary