

**DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
May 24, 2010**

The Dover Township Board of Supervisors regular meeting for Monday, May 24, 2010 was called to order at 7:00 PM by Chairman Curtis Kann in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Chair Curtis Kann, Madelyn Shermeyer, Michael Husson, Duane Hull, and Monica Love. Other Township Representatives in attendance were Laurel Wilson, Township Manager; Atty. Charles Rausch, Township Solicitor; Terry Myers, Township Engineer; Karen Wilson, C. S. Davidson, Inc.; Georgia Sprenkel, Zoning Officer; Charles Farley, Public Works Director; and Dawn Slegel, Recording Secretary. There were 4 citizens and 1 newspaper reporter seated in the audience. This meeting has been recorded for minute purposes only.

Chair Kann announced that a work session was held at 6:00 PM this evening to address the consideration of a potential temporary vendor ordinance.

Atty. Rausch added that an Executive Session was also held after the work session for the purpose of acquisition of real estate, potential litigation on a park rental, and a personnel matter.

Chair Kann requested a moment of silence in remembrance and thanks to all those who stand in harm's way followed by the reciting of the Pledge of Allegiance.

APPROVAL OF THE WORK SESSION MINUTES FOR MAY 10, 2010

Motion by M. Shermeyer and second by M. Husson to approve the work session minutes for May 10, 2010 as presented. **Passed** with 5 ayes.

APPROVAL OF MEETING MINUTES FOR MAY 10, 2010

Motion by M. Husson and second by M. Love to approve the meeting minutes for May 10, 2010 as presented. **Passed** with 5 ayes.

TREASURER'S REPORT

Chair Kann reported that the warrant for May 24, 2010 was in the amount of \$264,544.23.

Supervisor Shermeyer had asked Manager Wilson prior to the meeting about the check to Chester Young for engineering assistance. She related that it covered work by Mr. Young on the Operations & Maintenance Plan, ERP Plan, Groundwater Rule, DWELR, and the auto-dialer.

Supervisor Love questioned an accounting code which referred to beginning engineering.

Manager Wilson explained a check regarding that reference code was issued to Gannett Fleming, Inc. for modeling update and analysis.

Motion by M. Husson and second by D. Hull to approve the warrant for May 24, 2010 in the amount of \$264,544.23 as presented. **Passed** with 5 ayes.

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PUBLIC COMMENT PERIOD

Ethan Prout, a hydrogeologist and project manager at Rettew Associates presented the proposal on future well siting for the Township.

Mr. Farley distributed additional information of maps consisting of potential well locations. He noted that this work has transpired because in the next few years the permits for DEP, the Susquehanna River Basin, and the York Water Agreement are coming due for renewal. The Township and water system are growing rapidly. According to a report from 1993, there was 30 miles of water main lines. Today, the Township has more than twice that amount. He would like to reduce the Township's dependency on York Water by developing more wells in the Township. The Township can produce water at a lesser cost than purchasing it from The York Water Co.

Mr. Prout stated that Rettew's proposal recommends a general review of the old, existing, and new reports for potential wells and the novel approach is to use LiDAR (Light, Detection, and Ranging Maps of York County). This new technique will trace fractures and allow for better well sites. Using the fracture test tool will help determine the yield of the well.

Discussion ensued about the existing wells and their condition. The Board also reviewed the maps and the locations of potential well sites from previous studies.

Supervisor Shermeyer inquired on the wells currently offline because that would create a better picture of the Township's full well capacity.

Mr. Farley replied that Well Nos. 7 and 10 are offline and Well No. 1 is used as the back-up for Well No. 2.

Mr. Myers said that Rettew will be using the new technology to update the old studies and match it with the zoning and potential growth. He recommended that the Board consider Rettew's proposal.

Supervisor Love asked whether there was a Request for Proposal (RFP) done since this is the first step of a multi-step process and this way the same company would perform the whole process from the beginning to the end.

Mr. Myers suggested that a Request for Qualifications be researched and then the Request for Proposals.

Manager Wilson responded that the Public Works Director has been using Rettew's engineering services frequently for many of the water projects. It would be more expensive and more time consuming to perform an RFP.

Mr. Farley added that well exploration was budgeted for 2010 with more extensive field and well development in 2011.

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Supervisor Love requested that Rettew be asked to submit their listing of qualifications to accomplish the entire well project.

Board Consensus was to request Rettew Associates to submit their qualifications to Dover Township before the Board of Supervisors will make a decision on their proposal.

There weren't any further public comments at this time.

ZONING OFFICER'S REPORT by Georgia Sprenkel

PL08-15 Thunderbird Commons Preliminary Subdivision and Land Development Plan - Eric Johnston of Johnston Associates represented the Thunderbird Commons Development. They are proposing an additional 66 units within the park. Presently, there are approximately 174 units in the park with a private water system and a partly private sewer system with a leg of public sewer along the rear and also along Fox Run Road. The new development would consist of four phases. The types of homes will include small townhouses, single family detached, multi-family, modular, and a 12 unit apartment facility. Each proposed new lot will have dedicated public water and sewer lines. The Steeple Chase Drive Cul-de-Sac proposed in Phase 1 will provide a second means of ingress and egress to the park. It will be approximately 1,000 feet long and will be proposed for public dedication linking to other private roads accessing the park. Also where new lots are proposed in the park, the private streets will be widened an additional eight feet.

Mr. Johnston noted that the owner of Thunderbird, which is the same owner of Tall Oaks Estates, has requested the transfer of 42 EDUs from Tall Oak Estates to Thunderbird.

Motion by M. Shermeyer and second by M. Love to grant the waiver of §502.4 allowing the Owner to pay an in-lieu-of fee of \$5,000 instead of the required traffic impact study. **DISCUSSION** - Supervisor Husson noted for the record that the requested in-lieu-of fee of \$5,000 would only be \$86.00 per lot. **Passed** with 3 ayes and 2 nays with opposition by M. Husson and D. Hull.

Motion by M. Shermeyer and second by M. Love to grant the waiver of §704.B allowing Steeple Chase Drive to exceed the maximum allowable length of a cul-de-sac from 500 feet to 1,000 feet. **DISCUSSION** - Supervisor Husson questioned whether Steeple Chase Drive would meet the criteria of a cul-de-sac.

Mr. Myers read the definition of a cul-de-sac stating that it is a street with access closed at one end and having a vehicular turn around at the closed end.

Atty. Rausch inquired whether Delaware Avenue would be built to local road standards.

Mr. Myers replied only the half of the road where the new lots front would meet the standards.

Passed with 4 ayes and 1 nay with opposition by D. Hull.

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Motion by D. Hull and second by M. Shermeyer to grant the waiver of §704.B allowing the minimum centerline offset of Delaware Court to be 142 feet from Fox Run Road instead of the required 200 feet. **Passed** with 5 ayes.

Atty. Rausch advised that a note should be included on the plan indicating that any lot that fronted on a private street will be maintained by the Owner of Thunderbird.

Mr. Johnston responded that he will include this information with Note 13.

Mr. Myers added that Note 13 could be extended to say “. . .are private *and will be maintained by the Owner of Thunderbird.*”

Motion by M. Love and second by M. Shermeyer to grant the waiver of §703.H.10 allowing the private streets in the Thunderbird Commons Development to be in conformity with the existing cartway and right-of-way widths on Thunderbird Avenue, Chipawa Avenue, Delaware Court and revising Note 13 to designate that these private streets will be maintained by the Owner of Thunderbird. **Passed** with 5 ayes.

Motion by M. Love and second by M. Shermeyer to grant the waiver of §704.B accepting a fee of \$500 per new lot as an in-lieu-of fee for sidewalk installation in this project. DISCUSSION - Supervisor Husson questioned whether her motion was to have the developer place sidewalk on the east side of Fox Run Road.

Supervisor Shermeyer replied the motion was that the developer would not have to install sidewalk at all.

Mr. Johnston added that it would be a difficult endeavor to get the property owners on the opposite side of the street from the development to sign easements for sidewalk.

Passed with 4 ayes and 1 nay with opposition by D. Hull.

Motion by M. Shermeyer and second by M. Husson to grant the waiver of §1103.5.B. approving 79 total street trees to be planted in the Thunderbird Commons Development. **Passed** with 5 ayes.

Motion by M. Shermeyer and second by M. Love to approve the Thunderbird Commons Preliminary Subdivision and Land Development Plan contingent on the following outstanding items: 1. Surveyor's seal, signature and date on plan; 2. Owner's notarized signature on plan; 3. Planning Module approval; 4. Submission of the Stormwater Management Agreement and payment; 5. Township approval must be obtained to transfers the EDUs from Tall Oak Estates to Thunderbird Commons; 6. Execution of Dover Township's Sewer Access Rights Program; 7. Deed restrictions must accompany the submission of the plan. **Passed** with 3 ayes and 2 nay with opposition by M. Husson and D. Hull.

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ENGINEER'S REPORT by Terry Myers

Discussion Regarding Requiring Residences along Water Main Improvements Project to Connect - Mr. Myers reported that the Water Main Improvements Project will begin after Memorial Day. There are currently 14 residences in the project area that are not connected to the public water system. The Water Crew does not want to install curb boxes to these 14 homes if they will not be required to connect to the public water system in the near future due to their potential for leaks. In this project, the water main will be in the road and to make a new connection, the newly paved roads would have to be dug up.

Atty. Rausch inquired whether the main will be a new water line.

Manager Wilson responded that the Township is abandoning the old line and putting in a new larger line.

Discussion ensued on the current ordinance requirements, waivers, and the financing of fees.

Motion by C. Kann and second by M. Husson to require the properties within the Hilton Avenue Water Improvements Project area which are not connected to the Township public water system to be connected immediately with a repayment schedule for the tapping fee of \$2,597 to be paid over the next five years. **Passed** with 4 ayes and 1 nay with opposition by M. Shermeyer.

Bid Award for Rohlers Church Road Culvert Replacement Project - Mr. Myers reported that bids were opened on the Rohlers Church Road Culvert Project with a total of five bids received. The low bid was submitted by Fitz & Smith, Inc. in the amount of \$122,556.40. The bid tabulation is attached to the minutes.

Motion by M. Shermeyer and second by M. Husson to award the bid for the Rohlers Church Road Culvert Replacement Project to Fitz & Smith, Inc. for \$122,556.40. **Passed** with 5 ayes.

Question for Engineer - Supervisor Hull inquired about the status of the acquisitions of the Tower Drive properties.

Manager Wilson responded that the appraisals have not yet been received from the appraisal company. She will check on their progress.

SOLICITOR'S REPORT by Atty. Charles Rausch

Draft Memorandum of Understanding from Members 1st Agreement - Atty. Rausch provided an update to the Board. The Township has responded back to Members 1st with comments on their proposed agreement. An important comment to be included was a "knock-out clause" which gives the Township the option to discontinue their portion of the project if the estimates for the project came in too high.

MANAGER'S REPORT by Laurel A. Wilson

Dover Area Library Lease Agreement - Manager Wilson explained that there were changes made to the lease which consisted of the term of the lease, the rent, and the addition of a utility payment. The York County Library System has reviewed and approved the lease with these amendments.

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Motion by M. Husson and second by M. Love to approve the Dover Area Library Lease Agreement as amended. **Passed** with 5 ayes.

Edgewood Park Residents Petition - Manager Wilson inquired whether the Board wanted to send a response letter to the Edgewood Park residents regarding their petition.

The Board requested that the Township Manager respond to them acknowledging receipt of the petition and stating that their project will be considered during the next year's budget process.

OLD BUSINESS

Draft Well Ordinance Amendments with Brad Hengst - Manager Wilson reported that Mr. Hengst was sent a reminder noting the deadline for his newsletter article on the well ordinance amendments.

COMMENTS/NEW BUSINESS FROM THE BOARD OF SUPERVISORS

Chair Kann requested the removal of all of the remaining campaign signs still posted throughout the Township.

There weren't any additional comments from the public present.

Chair Kann adjourned the meeting at 9:09 PM.

Respectfully submitted by:

Dawn D. Slegel, Township Secretary