

**DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
JUNE 24, 2013**

The Dover Township Board of Supervisors regular meeting for June 24, 2013, was called to order at 7:01 PM by Chair Monica Love in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Monica Love, Madelyn Shermeyer, Michael Husson, Charles Richards, and Matthew Menges. Other Township Representatives in attendance were Laurel Oswalt, Township Manager; Attorney Charles Rausch, Township Solicitor; Terry Myers, Township Engineer; Georgia Sprenkel, Zoning Officer; Charles Farley, Public Works Director; Kristal Kennedy, Parks and Recreation Director; and Trena Hall, Recording Secretary. L. Gordon Walker and William J. Carlin, Jr. with PFM, Steven Hovis with Stock and Leader, 6 citizens and one reporter were in the audience. This meeting has been recorded for minute purposes only.

Prior to this meeting there was a work session to discuss the refunding of the Township's 2010 Bank Loan.

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 MAY 28, 2013

Motion by M. Shermeyer and seconded by M. Menges to approve the meeting minutes for May 28, 2013, as presented. **Passed** with 5 ayes.

TREASURER'S REPORT OF CURRENT EXPENDITURES

Motion by C. Richards and seconded by M. Husson to approve the warrant total for June 10, 2013, in the amount of \$391,540.41, as presented. **Passed** with 5 ayes.

M. Menges questioned if the release was signed for the reimbursement to Mr. Tucker. Manager Oswalt confirmed that the release was signed.

Motion by M. Menges and seconded by C. Richards to approve the warrant total for June 24, 2013, in the amount of \$181,078.66, as presented. **Passed** with 5 ayes.

PUBLIC COMMENT PERIOD

On the Agenda

Guernie Hershey III - 1832 Condor Lane - Requesting to be Excused from Paying His Trash Bill - He was not present.

Laura Gurreri - York County Convention & Visitors Bureau - Ms. Gurreri was present to explain the mission of the Visitors Bureau. They plan, support and promote programs designed to stimulate and encourage meetings, conventions, sporting events, and leisure activities, and to develop and enhance tourism in York County, PA. They are a private not-for-profit 501c6 organization governed by a volunteer Board of Directors. They are a

membership based organization and some Dover Area businesses that participate are Miss Lucy's Dog Treats, Shoppe American Made, and Barefoot Farms. The Visitors Bureau is always looking for suggestions of more events to bring to York County.

Travis Hoover – 3504 Kendall Lane – Requesting a Waiver to Install a Fence in an Easement Area – Mr. Hoover is requesting a waiver to install a PVC privacy fence. He submitted the application and was denied due to the easements on his property.

The Board questioned if there is a pipe under the storm sewer easement. Mr. Hoover noted that there is, on the left side.

The Board and Attorney Rausch questioned if the easements are Township or other utilities. Mr. Hoover was unsure.

Terry Myers noted that normally, if there is a 10' easement on one side, then there is another one on the other side and the pipe normally runs down the property line. He recommended staying at least 3' or 4' off the pipe line.

The Board noted that Mr. Hoover should install slip footers for the post and provide access to the yard, in case the Township would ever need to complete any work. Also, a recorded agreement prepared by Attorney Rausch would be necessary.

The Board agreed that Mr. Hoover needed to research where his utilities are, have them marked and then resubmit the application.

Motion by M. Shermeyer and seconded by C. Richards to grant approval for a fence to be installed 3' to 4' off the utility line and stormwater pipe, subject to a recorded agreement, prepared by the Township's Solicitor. **Passed** with 4 ayes and one nay. Opposed by Chair Love.

Not on the Agenda

Cindy Grove – Tri-Town – 323 Elmwood Drive – Cindy reported that Tri-Town has 180 football players and cheerleaders participating in the upcoming season. Currently dirt is being dumped to raise the field, to prevent flooding during heavy storms. She noted that they are ready for the baseball backstop to be removed.

FROM MANAGER'S REPORT

Approve Ordinance 2013-03 for Guaranty for Refinance of Sewer Authority Bond Series 2008 – Steven Hovis from Stock and Leader, was present to explain the revisions to the Sewer Bond Ordinance. The Sewer Authority is considering refunding the 2008 Bond and 2010 Bank Loan. Mr. Hovis reviewed that when the Authority issues debt, the Township guaranties this debt. The ordinance that has been prepared is the Eighth Supplemental Lease. The ordinance states that the Township agrees to guarantee the new debt if the Authority ever defaults on a payment of debt service. One change to the ordinance is the refunding of the 2008 bond and, if deemed to be in its best financial

interest, the Guaranteed Sewer Revenue Loan, Series of 2010. Because the bond market is currently unstable, the Authority is considering separating the two different deals. The Township will need to file an application with DCED which is a lease rental debt for the amount that is being guaranteed. A Self-Liquidation Report will also be completed. Approving the Eighth Supplemental Lease where the Authority is currently providing a parameters debt service provision with a maximum interest rate as well as a maximum principal amount for each maturity. As long as the bond comes in at a price less than what it is identified in the parameters, DCED will give approval, with a maximum guaranteed amount at any given year ranging from \$121,875 to 2,687,500 yearly. Approval of the Eight Supplemental Lease, the Guaranty Agreement, and the local government unit debt provisions, need to be included in the ordinance.

The Authority is meeting Wednesday, June 26, 2013 to go over the bond issue and Gordon Walker noted that the sale is also scheduled for Wednesday. Because of the dropping market, PFM is recommending to delay the sale and adopt the parameters resolution. This will allow PFM, without any further meetings or actions, to have the sale later when they believe the market has calmed down. Mr. Walker stated that the Authority needed to decide what minimum savings is required to continue with the deal, of the 2010 Loan, if there does not appear to be any savings.

Motion by M. Menges and second by C. Richards to adopt ordinance 2013-03 for the Guaranty for Refinance of Sewer Authority bond Series 2008, as presented. **Passed** with 5 ayes.

RECREATION DIRECTOR - Kristal Kennedy

Kristal proposed moving Trunk or Treat from Brookside Park to the Old Mid-Atlantic Golf Course. The scheduled date of this event is November 1, 2013, from 5PM to 8PM. Last year this event was amazing, attracting over 1,000 people in attendance and turning many away because of parking. Through meeting with PTO staff at Weiglestown and Dover Elementary Schools, a proposed lay out for the event was developed. The front area of the course will be for parking, the very back section will be for the hayride trail and the area between will be for Trunk or Treat. The Trunk or Treat area is where the participating, decorated cars are handing out candy to the children. There will be a hayride with inflatable figures and themed characters walking around the field. Concession stands, a story teller, games and tents will be made available, if there would be inclement weather. Tiger Trash will be providing the port-o-potties with a possible discount. The PTO staff will be contacting Bricker French Fries and Mr. Piggles to help with donations. They are going to propose to Bricker's to donate soda and Mr. Piggles to donate the hot dogs instead of giving the Township a 15% profit on sales. There will be a can drive to receive the free soda and hot dog. Handicap parking will be provided and additional parking could be at the high school or the municipal building parking lot. There will be road barriers around the hayride trail for the wagon drivers to follow and she is looking to rent a light tower for that area.

C. Richards wanted to make sure that the sand traps will be covered for safety reasons.

Terry Myers questioned if the lights for the driving range are still workable. Kristal will inquire about the driving range light.

Motion by C. Richards and seconded by M. Husson to approve Trunk or Treat to be moved from Brookside Park to the Old Mid-Atlantic Golf Course, as presented. **Passed** with 5 ayes.

Chair Love noted that the Old Mid-Atlantic Golf Course needed to be renamed. Suggested names were Municipal Park, Memorial Park or Meadowview Park.

ZONING OFFICER'S REPORT by Georgia Sprenkel

Approve Resolution 2013-15 to Adopt Additional Land in the Agricultural Security District for Robert G. and Joan A. Rauhauser - This is 15 acres of property on the north side of Hilton and Bull Road. This will increase the Agricultural Security for Dover Township to 6,212.88 acres total. Even if the Board would approve, this does not mean that the land will go into the Agricultural Security Easement.

M. Husson was unsure of approving this since it is only 15 acres and is surrounded by commercial property.

Georgia Sprenkel noted that by accepting the property into Agricultural Security, this would protect the owner from the nuisance laws, such as high grass, old equipment, etc.

Attorney Rausch reminded the Board of the Ag Law where there is a 180 day waiting period and then it is automatically included. If you do not want the property in the Agricultural Security area, then you need to hold a hearing which becomes very costly.

Once a property is in Agricultural Security, it is *green* forever.

Motion by M. Shermeyer and seconded by C. Richards to approve Resolution 2013-15 to Adopt Additional Land in the Agricultural Security District for Robert G. and Joan A. Rauhauser, as presented. **Passed** with 3 ayes and 2 nays. Opposed by M. Menges and M. Husson.

PL-12-3 Pauline B. Hull 3-Lot Subdivision – 4310 Admire Road – Requesting a Time Extension on the Plan Review – There has been a delay on the Township's part with the planning module and a 90 day extension has been requested.

Motion by M. Husson and seconded by C. Richards to allow a 90 day extension on the PL-12-3 Pauline B. Hull 3-Lot Subdivision Planning Module, as presented. **Passed** with 5 ayes.

Authorization for the Secretary to Sign the Request for Planning Waiver & Non-Building Declaration for James Elicker – There are two homes on this property located along Davidsburg Road. Mr. Elicker would like to subdivide so each home will have close to an acre and a half per lot.

Motion by M. Shermeyer and seconded by M. Menges to approve the Secretary to Sign the Request for Planning Waiver & Non-Building Declaration for James Elicker, as presented. **Passed** with 5 ayes.

PL-13-4 Glen Hollow Phase V Revised Final Subdivision Plan – The proposed properties are listed as condominiums on the deed and the property owners are having trouble refinancing or selling because of how they are deeded. There was enough land that the owners could subdivide and list as single family semi-detached properties.

Georgia Sprenkel noted that the homeowners will still be responsible for their share of the stormwater maintenance for the pond and that they have their own water and sewer lines.

The Engineer's/Surveyor's seal has been completed and can be removed from open items.

Motion by M. Shermeyer and seconded by M. Husson to grant the requested waivers for the PL-13-4 Glen Hollow Phase V Revised Final Subdivision Plan as follows: 1. Existing contours at two (2) foot intervals should be added to the plan (§ 501.2.R); 2. Where a subdivision abuts or contains an existing street of inadequate width, the developer shall provide sufficient additional right of way and cartway widths to meet the following standards (§ 704.). **Passed** with 5 ayes.

Motion by M. Shermeyer and seconded by C. Richards to approve PL-13-4 Glen Hollow Phase V Revised Final Subdivision Plan contingent on the completion of the following open items: 1. Prior to final plan approval, a disk in an electronic format compatible with the Township GIS system, should be provided (§ 501.2.A). ; 2. The legal and/or equitable Owner's notarized signature must be added to the plan certifying concurrence with the plan (§ 501.2.H). **Passed** with 5 ayes.

ENGINEER'S REPORT by Terry Myers

Meadowview Bridge Permit – The Bridge will be placed at an existing pedestrian crossing near the western side of the property and will only require a DEP General Permit. The project is estimated to cost around \$8,000. PENNDOT contacted Manager Oswald to see if the Township still wanted the stone and other materials with the bridge. If so, the Township has been requested to provide vehicles to move the items and PENNDOT will load.

Motion by M. Shermeyer and seconded by M. Husson to continue with the permitting process for the Meadowview Bridge acquisition from PENNDOT, as presented. **Passed** with 4 ayes and opposed by M. Menges.

Davidsburg Road Turning Lanes

Mr. Myers updated the Board on the Davidsburg Road turning lanes project. Recently there was a meeting with PENNDOT, Township staff and the developers to review the layouts. The developer is returning to their contractor to verify the cost estimates. C.S. Davidson was asked to confirm with PENNDOT the street requirements and to make contact with the

utilities for relocations. Manager Oswald noted, the developer did not agree with the proposed cost distribution.

2013 Street Maintenance

Kinsley Construction will begin base repair on Wednesday June 26, 2013. Then continue with overlays and complete work within two weeks. Recon Construction Service, who is doing the cold in place recycling, will be starting after July 4, 2013. The Board noted to advise local businesses and residents in that area of the work schedule.

SOLICITOR'S REPORT by Attorney Charles Rausch

Attorney Rausch noted that the Minnich's do not want to participate in the well project and the Township will now have to wait to hear back from the McNaughton's. The Township can still obtain access through the McNaughton property until streets develop. The only two issues remaining will be the relocation of the well and if the well is productive, dealing with Angus Lane residents on their water situation will be necessary.

MANAGER'S REPORT by Laurel Oswald

Approve Resolution 2013-13 to Adopt the York County Hazard Mitigation Plan – At the May meeting, Manager Oswald provided the Board with information and mentioned that the Township normally participates in the plan so there is no need to create our own.

Motion by M. Shermeyer and seconded by M. Menges to approve Resolution 2013-13 to adopt the York County Hazard Mitigation Plan, as presented. **Passed** with 5 ayes.

Approve Resolution 2013-14 for Pauline B. Hull's Sewer Planning Module and Authorize Secretary to Sign the Planning Module – Under the Zoning Report a time extension was granted.

Motion by C. Richards and seconded by M. Husson to approve Resolution 2013-14 for Pauline B. Hull's Sewer Planning Module and Authorization for the Secretary to Sign the Planning Module, as presented. **Passed** with 5 ayes.

Discussion Regarding the Wheatland Condo Association Request – The association is asking the Township to help provide assistance with an engineered drawing for the project in their backyards. They want to meet code requirements and need someone to complete inspections for them.

Chair Love questioned the amount of time that has been spent on this issue. Manager Oswald noted that it has basically been the time of Terry Myers. Mr. Myers only needs a few more hours to complete the drawing, resulting in more Township funds.

M. Menges wanted to confirm that the association was looking for completed drawings to be provided to them for use in their lawsuit. Manager Oswald noted that the association may actually complete the work and then sue to get the money back from the contractor.

Chair Love mentioned that she is fine with Mr. Myers completing the drawings but the HOA should hire their own inspector.

M. Menges was fine with Mr. Myers completing the drawings but thought the association should have to pay the remainder of the engineering fees.

Mr. Myers noted that there is not much more time needed to complete the design and he will do the design at no cost to the Township.

M. Menges noted that the association could complete a Right-to-Know request to receive the design.

Attorney Rausch was under the understanding that this design was being completed to provide to the builder, advising what work needed to be completed.

Manager Oswald's Meeting with Dover Librarian – The current 5 year lease will expire on July 31, 2015. The library should be made aware, if the Board will not be renewing the lease, to allow feasible time for them to begin searching for a new location.

M. Menges inquired why this issue is even in question. Manager Oswald informed the Board that when the lease was first made, the Township was interested in holding their own activities in the building, hence creating a 5 year lease.

Board Consensus was not to terminate the lease. M. Shermeyer did not agree.

Ashley Farms Home Owner Association (HOA) Mowing Issue – Maureen App has been trying to contact the HOA in regards to cutting their own properties. The lot in question is near Natalie Drive, which is a stormwater management area, and owed by the HOA. In the past, the Township has sent properties involved letters informing them that someone needed to take responsibility to mow. If action is not taken, the Township will mow the property and then bill a proportioned grass fee to each homeowner on their sewer and water bill. The Township will use their equipment the first time, but in the future will hire a company. As of now, Maureen has sent letters and e-mails to the President and Vice President of the HOA. Manager Oswald questioned if the Township should follow through like they have with other HOA's. The areas included in this issue are part of Wheatland & Kimberly and all of Natalie and Jillian Court.

It was agreed to bill the mowing fee to the sewer and water bills.

Manager Oswald only wanted to make the Board aware of this issue. If the Township does not receive any response, a letter will go out informing the owners that the Township will be cutting the property and billing the owners.

PUBLIC WORKS DIRECTOR'S REPORT by Chuck Farley

No issues to report

OLD BUSINESS

M. Shermeyer noted that a decision was never made on Tower Drive, from when the Board members did the Road Tour. Recently she asked Glenn Kern to look at Tower Drive and Clair-Mar Drive and give an estimate of what would be needed to repair the roads. Using a leveling course, he estimated a price of \$18,000 for Tower Drive and \$24,000 for Clair-Mar Drive. The Township does not receive liquid fuels money for Clair-Mar since the road does not have a cul-de-sac.

Terry Myers noted that the rules have changed and liquid fuel money can be used to maintain streets that are not on the list. The only problem is that you do not receive funding to do so.

M. Menges noted that Tower Drive also has stormwater issues to be fixed before road repair could be completed.

Chair Love requested to have Chuck Farley evaluate Tower Drive for stormwater and sewer I & I issues until next meeting.

Terry Myers noted that come July, he will have a better idea of money spent for the 2013 budget and then determine if there are funds remaining to work on either of these projects.

C. Richards asked Chuck Farley and Terry Myers to have their studies in by the next meeting.

Chair Love noted to leave Clair-Mar Drive on for Old Business, for next month.

COMMENT/NEW BUSINESS FROM BOARD OF SUPERVISORS

M. Menges noted that an officer at Northern Regional had a potential issue to impact the pension fund. The issue has been resolved and will have no impact on the pension.

Chair Love received a complaint about the condition of the stormwater ponds along Emig Mill Road, around New Creation Church and Solar Village. Maintenance is needed on the fences, there is heavy underbrush that is growing out of control and the embankment is beginning to crumble. The fence near Barwood is the one that the Township is caring for and Mr. Farley is working on this issue.

COMMENTS FROM THE PUBLIC PRESENT

No comments.

With no further business, the meeting was adjourned at 9:04 PM by Chair Love.

Respectfully submitted by:

Trena M. Hall, Township Secretary