The Dover Township Board of Supervisors regular meeting for Monday, July 23, 2012 was called to order at 7:05 PM by Chairwoman Shermeyer in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Chair Madelyn Shermeyer, Monica Love, Michael Husson, Charles Richards, and Matthew Menges. Other Township Representatives in attendance were Laurel Oswalt, 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. Gordon Walker of Public Financial Management, Inc. and Atty. Steve Hovis, Bond Counsel, Stock & Leader were also in attendance. There were 14 citizens and a news reporter seated in the audience. This meeting has been recorded for minute purposes only.

It was announced that a work session was held at 6 PM this evening to discuss amending the Stormwater Management Ordinance. 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 Flag.

**APPROVAL OF WORK SESSION MINUTES FOR JUNE 25, 2012**

Motion by M. Love and second by M. Husson to approve the work session minutes for June 25, 2012 as presented. Passed with 5 ayes.

**APPROVAL OF MEETING MINUTES FOR JUNE 25, 2012**

Motion by M. Menges and second by M. Love to approve the meeting minutes for June 25, 2012 as presented. Passed with 5 ayes.

**TREASURER’S REPORT**

Motion by C. Richards and second by M. Husson to approve the warrant total for July 9, 2012 in the amount of $62,634.60 as presented. Passed with 5 ayes.

Motion by M. Husson and second by M. Menges to approve the warrant total for July 12, 2012 in the amount of $235,081.40 as presented. Passed with 5 ayes.

Motion by M. Love and second by C. Richards to approve the warrant total for July 20, 2012 in the amount of $358,774.13 as presented. Passed with 5 ayes.

**Ordinance 2012-05 Guaranty of Refinancing of Sewer Authority Bond Series 2007** - Gordon Walker and Atty. Steve Hovis were present to explain the ordinance associated with the Sewer Authority bond refinancing. The numbers denoted a $600,000 savings after expenses from the $5 million bond refinancing. The internet auction will be held at 11:00 AM on Wednesday, July 25, 2012. The final figures will then be presented to the Sewer Authority on Wednesday evening at their regular meeting. The ordinance to be adopted this evening deals with approving the lease, the guaranty, and the application to the Department of Community and Economic Development. The Dover Township Sewer Authority recently received a rating of AA-. 
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Motion by M. Husson and second by M. Love to adopt Ordinance 2012-05 adopting the guaranty and related documents. Passed with 5 ayes.

PUBLIC COMMENT PERIOD
Listed on the Agenda
Trina Henise, 1707 Weeping Willow Lane - Waiver Request for Fence in Easement. According to the subdivision plan, all of the lots in this development have a five foot easement unless otherwise specified. The Homeowners Association has given their consent for the Henise’s fence. A Fence License Agreement will be prepared by the Township Solicitor although access by the Township will not be necessary to this property.

Motion by M. Menges and second by C. Richards to grant the waiver for the fence easement on the side of 1707 Weeping Willow Lane contingent on the recording of the Fence License Agreement prepared by the Township Solicitor with payment of the associated fees by the property owner. Passed with 4 ayes and 1 nay with opposition by M. Love.

Gary Knisely, 1051 Cherry Orchard Road - Repaving Status for Cherry Orchard, Deer Run, & Appaloosa Roads. Mr. Knisely was the spokesperson for the Deer Park Estates Homeowners Association. Nine homeowners were present. He inquired about the Board’s consideration of adding Cherry Orchard, Deer Run, and Appaloosa Roads to the paving schedule for the next five years.

He was informed that the five year plan for the road schedule has not be finalized. The Township roads have been examined by the Board of Supervisors along with the Highway Crew Leader and the Public Works Director to prioritize a list for next year’s budget and beyond. They did take a look at the cul-de-sacs in Deer Park Estates, but these roads are not anticipated to be paved within the first five years. A plan is expected to be completed in August for the next five years.

Mr. Knisely requested to see the five year road schedule when it has been finalized.

It was reported that a draft budget should be ready sometime in September.

Mr. Knisely noted that Mrs. Kauffman had photographs of these cul-de-sacs for the Board. He also addressed clear sight distance issues at the intersections of George Street and Nursery Road and at Cherry Orchard and Nursery Roads. He indicated that his concerns were safety-related.

The response to him was that the Highway Crew Leader had checked the intersections in his truck and was told to take a Township car to better view the obstructions. Contact was made with the property owner at the intersection of George Street and Nursery Road. He was unsuccessful in his attempts to contact the other property owner.

The Township Engineer explained that the property owner at Cherry Orchard and Nursery Roads recently went through the subdivision process in which clear sight triangles were established and can be enforced by the Board if they are not being properly maintained. The George Street property owner has not filed a plan recently. The landscaping restricts the view to the right at George Street.
The Board directed the Zoning Officer to send a letter to the property owner at Cherry Orchard and Nursery Roads stating his obligation.

**Roxanne Stevens, Realtor - 1524 Hilton Avenue Mandatory Water Connection Payment Schedule.** Ms. Stevens was present on behalf of her clients, Helen Balmer and Joann Smeltzer concerning the purchase of 1524 Hilton Avenue and the required water connection.

It was suggested that Ms. Stevens perform a title search in which a municipal lien should be filed against this property. If a lien exists on the property, the Board would then have to decide on how much time the new owners would be allowed for the actual physical connection. The Board would consider the five year payment plan offer should a lien not exist.

**Linda Gorter, Branch Director of Bob Hoffman YMCA - Fee Waiver Request for Use of Carousel Building for Preschool Graduation Ceremony in May, 2013.** The YMCA is a non-profit organization and requested a waiver from the rental fee for their four preschool graduation ceremonies in the Carousel Building at Brookside Park from May 22 through May 24, 2013.

**Motion** by M. Menges and second by M. Love to waive the rental fees for the use of the Carousel Building by the Bob Hoffman YMCA for their graduation ceremonies in May of 2013. **Passed** with 5 ayes.

**Not Listed on the Agenda**
A resident questioned why the current Township Board of Supervisor Minutes are not available on the Dover Township website.

He was informed that he must have a glitch with his computer system because all of the minutes were there when the Township Manager recently checked.

Supervisor Menges verified that the latest May 29, 2012 Board Minutes are currently available on the website.

There weren’t any further comments from the public at this time.

**ZONING OFFICER’S REPORT by Georgia Sprenkel**
The Zoning Officer related that she previously received a phone call from a resident on Ruppert Road who asked about constructing a garage on the adjacent property. Currently, he has a home and garage on his property. He recently inherited .5 of an acre beside his. In order to place a house on this property he would need to meet the building setbacks in the Agricultural Zone and would require the installation of a septic system and a well. His request was to put an accessory structure on that property because it cannot be used for any other purpose. Currently, his options are to either apply for a variance, go through a reverse subdivision, or speak to the Supervisors in order to request a text amendment to the Zoning Ordinance.

Board concerns consisted of the property owner’s ability to sell the property separately from the residence on the other property and the lot would not be buildable.
Board Consensus was not to change the Zoning Ordinance for this type of circumstance.

ENGINEER’S REPORT by Terry Myers
Authorization to Advertise Bids for Well No. 10 Nitrate Removal - Ms. Wilson presented the plans for the Well No. 10 nitrate removal which includes an additional new prefabricated control building for the housing of the nitrate removal equipment. It will be set on a concrete slab. The installation of a fence around the well site for added security will be proposed in the 2013 Budget. The entire project cost is estimated between $210,000 to $240,000 which also includes the equipment installation.

Motion by M. Love and second by M. Menges to authorize the advertisement for bids of the nitrate removal system at Well No. 10. Passed with 5 ayes.

Discussion on the Township’s Intention to Not Open the Paper Road Portion of Glenwood Road on to Carlisle Road - Mr. Myers reported that Auto Zone is in the process of obtaining their PennDOT Permit. Through an old Hershey Heights Subdivision Plan, a 40 foot paper road right-of-way was dedicated in 1978 for the continuation of Glenwood Road on the south side of the proposed Auto Zone Store or the existing restaurant. Comments received from PennDOT were that this road could be constructed and then used to connect the new entrance into the Auto Zone Store.

Board Consensus was to authorize a letter to PennDOT stating that it is not Dover Township’s intent to open the paper road portion of Glenwood Road in the foreseeable future.

It was suggested that the response to PennDOT indicate that Dover Township has lost their right to publicly open the paper portion of Glenwood Road.

Mr. Myers also stated that since the driveway improvements cross the side property line at the proposed Auto Zone, PennDOT has requested an execution for an Agreement of Release.

Motion by M. Menges and second by M. Husson to authorize the proper Township Officials to sign the Transfer Agreement of Release of the PennDOT Condition Statement to Auto Zone. Passed with 5 ayes.

Approval of Quote for Community Park Pedestrian Bridge - Mr. Myers reported that three quotes were obtained from three suppliers and each were made of three different types of bridge materials. It was the feeling of the Board that they should stick with the bridge composition which was originally proposed to FEMA. The bid quotes for the bridge have been attached to the minutes.

Motion by M. Husson and second by M. Menges to award the quote of $12,650 to E. T. Techtonics for the six foot wide fiberglass bridge. Passed with 5 ayes.
Waterline Project at Members 1st - Mr. Myers reported that this project will tie into the eight inch water line on the east side of Carlisle Road with the ten inch line at Palomino Road. Members 1st has agreed to extend the eight inch water line past their property for a future connection to the Donwood Development. This project is being proposed at this time because the contractor for Members 1st will be milling and paving the entire intersection. Quotes were obtained from R. L. Livingston, who is the on-site contractor; Fitz & Smith; and E. K. Services. The bid quotes are attached to the minutes. Livingston entered the low quote of $18,363.00 for the actual work with Dover Township supplying the materials. The materials are estimated to cost about $10,000.

Motion by C. Richards and second by M. Love to award the low quote by R. L. Livingston for the Carlisle Road Water Line Project. Passed with 5 ayes.

Amended Motion by C. Richards and amended second by M. Love to award the low quote of $18,363.00 by R. L. Livingston for the Carlisle Road Water Line Project. Passed with 5 ayes.

SOLICITOR’S REPORT by Atty. Rausch
Atty. Rausch had nothing to report to the Board at this time. He announced that an executive session will be held after this meeting regarding the Menges vs. Dover Township Litigation.

MANAGER’S REPORT by Laurel Oswalt
Acceptance of Second Offer for Repository Property at 3481 Conewago Road from Brian K. Ritz of $300.00 - The York Area Earned Income Tax Bureau reported that the bid was not accepted or received in time from the Dover Area School District, so this is a second offer and is unfortunately considerably lower.

Motion by M. Love and second by C. Richards to accept the second offer for the repository property at 3481 Conewago Road from Brian K. Ritz of $300.00. Passed with 5 ayes.

BOS Guidance on Formal/Informal Agreement Between Township and Golden Villas HOA - The Public Works Director is seeking guidance from the Board to obtain a better access for some unused recreation land located behind the common area in the Golden Villas Development. Because the stormwater pipe was removed from the Sunrise Acres Development, accessibility from that side is not possible.

The Township Solicitor recommended that a formal agreement be prepared and recorded.

Motion by M. Love and second by C. Richards to direct the Township Solicitor to work with the Public Works Director to create an agreement with the Golden Villas Homeowners Association allowing Dover Township access across their common areas in exchange for mowing. Passed with 5 ayes.

1908 Ashcombe Drive Water Bill Issue - The report from the water meter at 1908 Ashcombe Drive was returned as inconclusive. The property owner was connected to the sewer line through a sump pump which has been disconnected. A request for that quarter’s electric bill might show substantial electric usage of the sump pump in operation.
Motion by M. Menges and second by M. Love to adjust the quarterly utility bill for 1908 Ashcombe Drive removing the one million gallon charge and billing the remaining water usage.

Amended Motion by M. Menges and amended second by M. Love to adjust the quarterly utility bill for 1908 Ashcombe Drive removing the one million gallon charge and billing the remaining water usage because the report was inconclusive as to the condition of the water meter. Passed 5 ayes.

An executive session was requested after the meeting to discuss Union contract negotiations.

OLD BUSINESS
It was questioned whether Mr. Erney has requested a donation for the Halloween Parade this year. He was previously told to bring his request before the Board in July.

It was asked if any additional information was received from the residents in the Wandering Streams Development. No one on the Board was contacted.

An update was requested on the final paving of the Hilton Avenue road cut. Mr. Krouse was trying to arrange the final restoration work.

The Public Works Director offered the services of the utility restoration contractor if they have not been mobilized. Then Dover Township would be able to collect the funds from the Maintenance Bond.

The Township Engineer will pursue the final paving work to be accomplished by Mr. Krouse on Hilton Avenue.

COMMENTS/NEW BUSINESS FROM THE BOARD OF SUPERVISORS
Supervisor Husson informed the Board that the Dover Area Ambulance Club has requested a work session at 6 PM on August 27, 2012 to discuss some serious financial issues. Peggy Durnin will be providing documentation to the Board on Monday, August 20th.

Chair Shermeyer addressed a concern from Norma Hoover with a recent rental of the Community Room. The prior rental did not adequately clean up the room. She requested that the Board consider waiving their entire rental fee from June 24, 2012.

Motion by M. Love and second by C. Richard to return the Hoover’s rental fee. Passed with 5 ayes.

Chair Shermeyer announced that she received two volunteers to fill the vacant Emergency Management Coordinator Position. Charles DeLauter of Crone Road will be the Emergency Management Coordinator and Justin R. Hovis of Dover Township will be the Deputy Emergency Management Coordinator.

COMMENTS FROM THE PUBLIC PRESENT
There were no comments from the public at this time.
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With no further business, the meeting was adjourned at 9:05 PM by Chair Shermeyer into an executive session pertaining to Union contract negotiations and on the Menges vs. Dover Township litigation as requested by the Township Solicitor.

Respectfully submitted by:  

Dawn D. Slegel, Township Secretary