

**DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
MINUTES
AUGUST 28, 2017**

The Dover Township Board of Supervisors' Meeting for Monday, August 28, 2017, was called to order at 7:00 PM by Chairperson Stephen Stefanowicz in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Stephen Parthree, Matthew Menges, Charles Richards and Robert Stone. Other Township Representatives in attendance were Laurel Oswalt, Township Manager; Georgia Sprenkle, Township Zoning Officer; Michael Fleming, Township Public Works Director; Peter Haldeman, Blakey, Yost, Bupp & Rausch Law Firm; Terry Myers, Township Engineer; Corey McCoy, C.S. Davidson and Tiffany Strine, Township Secretary. There were twenty-eight citizens present. This meeting is being recorded for the purpose of minutes only.

A moment of silence was requested, followed by the reciting of the Pledge of Allegiance to the American Flag.

Chairman Stefanowicz stated that a work session was held prior to the beginning of this evening's Board meeting for the purposes of discussing Township personnel matters.

APPROVAL OF THE BOARD OF SUPERVISORS' MEETING MINUTES FOR JULY 24, 2017

Motion by M. Menges and seconded by R. Stone to approve the Board of Supervisors' Meeting Minutes for July 24, 2017, as presented. **Passed** with 5 ayes

TREASURER'S REPORT

Approval of Current Expenditures

Motion by M. Menges and seconded by C. Richards to approve the warrant total for August 3, 2017, in the amount of \$84,893.70 as presented. **Passed** with 5 ayes

Motion by M. Menges and seconded by C. Richards to approve the warrant total for August 4, 2017, in the amount of \$67,376.43 as presented. **Passed** with 5 ayes

Motion by M. Menges and seconded by C. Richards to approve the warrant total for August 14, 2017, totaling in the amount of \$433,122.06 as presented. **Passed** with 5 ayes

Motion by M. Menges and seconded by C. Richards to approve the warrant total for August 28, 2017, totaling in the amount of \$278,703.54 as presented. **Passed** with 5 ayes

INFORMATION ON EVENTS AND LOCAL ANNOUNCEMENTS

R. Stone – R. Stone announced to the public that the Dover Township Wastewater Treatment

Plant will be holding its annual Open House for the public on September 26th, 2017 from 3PM to 7PM. R. Stone invited all to partake in the great informational and educational experience.

S. Stefanowicz – Chairman Stefanowicz announced to the public that an upcoming Blood Drive held by the American Red Cross will be taking place on August 29th, 2017 from 2PM to 7PM at the Dover Community Center.

Manager Oswalt – Manager Oswalt announced to the public that Dover Township Recreation will be hosting many upcoming events within the Township. On September 9th, 2017, a Movie Night will be held at Dover Township's Lehr Park. An AARP Safe Driving Course will be held on September 19th and September 20th, 2017 at the Dover Township Community Center. A Joint MS4 Stormwater Event will be held by a collective group of local municipalities and hosted at Dover Township's Brookside Park.

PUBLIC COMMENT

Anne Zarlenga, Dover Township Emergency Management Coordinator Presentation of a Certification to Ralph Brandt

Ms. Zarlenga; Dover Township Emergency Management Coordinator, introduced Mr. Ralph Brandt whom is the Dover Township Radiological Officer. Ms. Zarlenga; along with C. Richards, presented Mr. Brandt with the first staff PEMA Certification recognition for Dover Township EMA.

The full Board congratulated Mr. Brandt on his accomplishment and thanked him for his service to Dover Township.

April Henry – To Seek Rental Fee Waivers for Dover Township Rental Locations for the York Area Down Syndrome Association

Ms. April Henry introduced herself to the Board and gave a brief introduction and overview of the York Area Down Syndrome Association. Ms. Henry stated that their organization is growing and in order to accommodate the organizations growing needs, the York Area Down Syndrome Association is seeking a larger facility to hold their events. The entity is a non-profit organization that provides support to families with children and adults with disabilities with a focus on individuals with Down syndrome.

Motion by R. Stone and seconded by C. Richards to approve the fee waiver for the use of the Dover Area Community Building for the York Area Down Syndrome Association for their events, as presented. **Passed** with 5 ayes

Katherine Pentz – Discuss Village Rules and Regulations

Ms. Katherine Pentz is a Dover Township resident. Ms. Pentz informed the Board that she resides in an area that has been rezoned from a Conservation classification to now a Village classification. Ms. Pentz stated that the new classification allows for the retaining of livestock.

Ms. Pentz feels as though she does not reside in an agricultural district and feels as though livestock should not be allowed within the Village classification and in tandem that the Township Zoning Ordinance should be revised to remove the allowance of livestock within the Village classification. Ms. Pentz feels as though stable or animal housing buildings should not be allowed within the Village classification.

Mr. Terry Myers; Township Engineer, informed Ms. Pentz and the full Board that if the zoned area of concern has been changed from a Conservation classification to a Village classification the allowance of animals within an Agricultural zone is the same allotment within a Conservation zone. Therefore, Mr. Myers stated that the property was permitted to have livestock in the Conservation zone as well.

G. Sprenkle informed Ms. Pentz and the full Board that the Conservation and Agricultural zoning classifications have always allowed for the keeping of livestock and livestock products.

M. Menges added that although the zoning classification has changed, the right to keep livestock on one's property within this area has been there previously.

G. Sprenkle stated that the Department of Environmental Protection and the York County Conservation District has investigated the area of concern and has found the property to be compliant.

Emma Raffensburger – Dover Township Resident – 5740 Pine Hill Road

Ms. Raffensburger is a Dover Township resident whom resides at 5740 Pine Hill Road. Ms. Raffensburger provided handouts to the Board members containing images of an intersection that Ms. Raffensburger would like to have examined. The intersection of her concern lies in the intersection of Pine Hill Road and Big Mount Road. Ms. Raffensburger stated that there are many accidents that occur in this area and she would like to recommend the installation of the additional signage indicating that extra caution be used within this area.

Stacey Harris – Dover Township Resident – 1700 Fountain Rock

Ms. Harris is a Dover Township resident whom resides at 1700 Fountain Rock Drive. Ms. Harris voiced concerns regarding her areas Home Owners Association. Ms. Harris stated that she is having various issues regarding her Home Owners Association by means of any form of contact, effective and efficient by-laws, necessary upkeep within her Home Owners Association's area, the billing of fees to home owners within the Home Owners Association and so on.

M. Menges stated that the Township has a limited role within the relationship to home owners and the Home Owners Association or person or entity. Therefore, the Township does not assume the role of challenging a Home Owners Association except for limited areas.

Mr. Peter Haldeman; with Blakey, Yost, Bupp & Rausch Attorneys at Law, made suggestion to seek legal advice with regards to this matter.

M. Menges added that the Township is happy to help and assist the residents within the areas that the Township can; however, the areas are sometimes limited.

Jim Strausbaugh – Dover Township Resident – 1734 Fountain Rock

Mr. Strausbaugh is a Dover Township resident whom resides at 1734 Fountain Rock Drive. Mr. Strausbaugh informed the Board that there are multiple sets of by-laws amongst the residents within the Home Owners Association. Mr. Strausbaugh added that he has various concerns relating to the Home Owners Association or entity regarding pertaining to lack of communication, fees, etc.

Dawn McCury – Dover Township Resident – 1708 Fountain Rock

Ms. Dawn McCury is a Dover Township Resident whom resides at 1708 Fountain Rock Drive. Ms. McCury informed the Board of various issues she has regarding her area of residence and lack of maintenance by the current Home Owners Association.

Bob Stein – Dover Township Resident – 1706 Fountain Rock

Mr. Bob Stein is a Dover Township resident whom resides at 1706 Fountain Rock Drive. Mr. Stein would like to have the Township maintain the roadways within their residential community.

M. Menges stated that due to the operation of the Home Owners Association and the intricacies that follow, the area in which Mr. Stein resides is not yet adopted by the Township. The Township cannot adopt the area being currently addressed because the development within this area has not reached the required threshold that it must. Therefore, the Township does not maintain the aforementioned area. The Township does not fund snow maintenance through taxes but instead receives Liquid Fuels funding after the adoption of the roads.

Paula Gulias – Dover Township Resident – 3308 Walker Avenue

Ms. Paula Gulias is a Dover Township resident whom resides at 3308 Walker Avenue. Ms. Gulias added that she feels the same concerns as her neighbors whom have spoken before her during this meeting.

Kara Tate – Dover Township Resident – 3304 Walker Avenue

Ms. Kara Tate is a Dover Township resident whom resides at 3304 Walker Avenue. Ms. Tate inquired with the Board as to if the actions of the current Home Owners Association are legal.

M. Menges informed Ms. Tate that the inquiry Ms. Tate is proposing is that of a legal matter and that an Attorney would have to give an opinion regarding her proposition and that the Board cannot do so.

Becky Boyer – Dover Township Resident – 1606 Fountain Rock Drive

Ms. Boyer is a Dover Township resident whom resides at 1606 Fountain Rock Drive. Ms. Boyer voiced her concerns toward her current Home Owners Association and her ideas towards disbaring her current Home Owners Association. Ms. Boyer added that she would like to see the Township adopt the current responsibilities and road ways within her development.

Bobby Boyer – Dover Township Resident – 1606 Fountain Rock Drive

Mr. Boyer is a Dover Township resident residing at 1606 Fountain Rock Drive. Mr. Boyer proposed a question to the Board as to how a member of the public may respond to Public Auction or Sherriff's Sale signage placed on vacant properties within the yards in his community.

Mr. Boyer was referred to the York County Tax Claim Bureau for his inquiry.

ZONING OFFICER'S REPORT by Township Zoning Officer Georgia Sprenkle

RE-APPROVAL OF PLAN 13-8 TERRA VISTA LAND DEVELOPMENT PLAN

Township Zoning Officer Georgia Sprenkle is seeking Board re-approval for Plan 13-8 Terra Vista Land Development Plan. Ms. Sprenkle stated that the delay with the plan was due to PENNDOT approval.

Manager Oswald added that herself; along with the Township Public Works Director and Township Engineer, will be attending a meeting in the upcoming days regarding the culvert in this area and the necessary Highway Road Occupancy Permit. PENNDOT is proposing the Township assume the responsibilities as the permittee or the co-permittee for the culvert replacement project. Manager Oswald, along with Mr. Fleming and Mr. Myers, informed the Board that this project comes with various circumstances that they each feel should be further examined prior to accepting the project and Plan Re-Approval.

Board consensus was established and it was fully determined to table the re-approval of Plan 13-8 Terra Vista Land Development Plan.

RE-APPROVAL OF PLAN 14-6 TERRA VISTA SUBDIVISON

Board consensus was established and it was fully determined to table the re-approval of Plan 14-6 Terra Vista Subdivision Plan.

APPROVE PLAN 17-8 THERMAL LOGISTICS – 3630 CARLISLE ROAD – LAND DEVELOPMENT PLAN – COMMERCIAL ZONE

Ms. Sprenkle introduced Mr. Johnathan Allguier. Mr. Allguier proposed his Plan 17-8 for his venture entitled Thermal Logistics, planned for 3630 Carlisle Road, Land Development Plan.

Mr. Myers informed the Board of Supervisors of the referenced land development plan's waiver requests. The waiver requests are to include the following:

1. §22-051.O – Manmade features within 400' of site
2. §22-704.B – Roadway Improvements
3. §22-709.10 – One Access per lot

Motion by C. Richards and seconded by S. Parthree to approve Plan 17-8 Thermal Logistics, 3630 Carlisle Land Development Plan waiver requirements numbers 1. §22-051.O – Manmade features within 400' of site and number 3. §22-709.10 – One Access per lot, as presented.

Passed with 5 ayes

Mr. Myers informed the Board of Supervisors of the referenced Zoning Ordinance items that have been met:

1. The existing and proposed uses should state “Residential – pre-existing non-conforming use”. Show the minimum required lot requirements for each existing and proposed use, cumulatively.

Mr. Myers informed the Board of Supervisors of the referenced Zoning Ordinance open items. The open items are to include the following:

2. A photometric plan, associated details and notes shall be submitted to ensure that the requirements of §27-509 are being met.

Mr. Myers informed the Board of Supervisors of the referenced Subdivision and Land Development Ordinance addressed items. The addressed items include the following:

1. What is the status of the “Sycamore Road extended” access to the site? Is any access agreement required between Thermal Logistics and the Kunkle property for the existing access at Sycamore Road extended? A note should be added to the plan identifying maintenance responsibilities for the access drive.
3. A statement shall be added to the plan, along with the Engineer’s/Surveyor’s seal, signature and date certifying that he has been to the site and observed the present condition and that the plan indicates the actual condition of the site should be added to the plan.
5. Details of concrete vertical/ slant curb shall be shown on the plans. A tapered concrete curb end section detail should be added to the plans in accordance with the Dover Township Construction & Material Specifications, if vertical curb is being utilized. (§22-501.2. FF)
6. A detail of the buffer requirements should be added to the plans. Also, a note should be added to the plans stating that: “The owner is responsible for maintaining a 50% screen, through the use of trees and shrubs, at all times along adjacent residential uses”. Areas of screening should be designated on the plans. Who owns the existing screening adjacent to the Kirk Senft lot? (§22-501.2. II)

Mr. Myers informed the Board of Supervisors of the referenced Subdivision and Land Development Ordinance open items. The open items are to include the following:

2. Prior to final plan approval, a disk in an electronic format compatible with the

- Township GIS system, should be provided. (§25-501.2. A)
4. The legal and/or equitable Owner's notarized signature must be added to the plan certifying concurrence with the plan. (§22-501.2.H)
 7. Approval of the stormwater management plan should be obtained from the Township Engineer (§502.8) A separate stormwater management comment letter will be prepared.
 8. Public Improvement security shall be provided prior to final plan approval. (§602.1)
 9. E&S approval by the York County Conservation District shall be provided prior to final plan approval. (§602.4)

Motion by C. Richards and seconded by S. Parthree to approve Plan 17-8 Thermal Logistics, 3630 Carlisle Land Development Plan Zoning Ordinance waiver requirement number 2.) A photometric plan, associated details and notes shall be submitted to ensure that the requirements of §27-509 are being met and the following Subdivision and Land Development Ordinance open items numbers 2.) Prior to final plan approval, a disk in an electronic format compatible with the Township GIS system, should be provided. (§25-501.2. A) number 4.) The legal and/or equitable Owner's notarized signature must be added to the plan certifying concurrence with the plan. (§22-501.2.H) number 7.) Approval of the stormwater management plan should be obtained from the Township Engineer (§502.8) A separate stormwater management comment letter will be prepared, number 8.) Public Improvement security shall be provided prior to final plan approval. (§602.1) and number 9.) E&S approval by the York County Conservation District shall be provided prior to final plan approval. (§602.4), as presented. **Passed** with 5 ayes

DISCUSS 3051 CLAREMONT ROAD – QUOTES FOR DEMOLITON

Ms. Sprenkle informed the Board that the property at 3051 Claremont Road contains the contents of a previously discussed, burned out mobile home. Ms. Sprenkle sought and provided the Board of Supervisors with two (2) quotes for demolition work to be completed on this property. The lowest bid was received from Bernard Anthony, Inc. Demolition and Fire Scene Excavation in the total quote amount of \$5,900.00.

Motion by M. Menges and seconded by C. Richards to accept Bernard Anthony, Inc. Demolition and Fire Scene Excavation's demolition quote for the property address of 3051 Claremont Road in the amount of \$5,900.00 for the scope of work described within the estimate provided to the Township and thereafter file the necessary lien against 3051 Claremont Road for the total costs incurred, as presented. **Passed** with 5 ayes

ENGINEER'S REPORT by Township Engineer Terry Myers

APPROVE NURSERY ROAD CULVERT APPLICATION FOR PAYMENT AND CDBG REQUISITION NO. 1 - \$49,946.49

Township Engineer; Mr. Terry Myers, informed the Board that the contractor for the Nursery Road Culvert Replacement project began work on August 7th, 2017. The culvert was installed

and paving restoration was completed on August 18th, 2017. The detour was removed and the road was opened on August 18th, 2017. A final inspection will be scheduled in the next few weeks. Application for Payment No. 1 in the amount of \$49,946.49, along with CDBG Requisition No. 1, is now being made for Board consideration.

Motion by R. Stone and seconded by C. Richards to approve the Application for Payment No. 1 in the amount of \$49,946.49, along with the CDBG Requisition No. 1, as presented. **Passed** with 5 ayes

MANAGER'S REPORT by Township Manager Laurel Oswalt

APPROVE RESOLUTION 2017-17 RECOGNIZING DONALD BUPP FOR HIS SERVICE ON THE ZONING HEARING BOARD

Motion by M. Menges and seconded by R. Stone to approve Resolution 2017-17 recognizing Donald Bupp for his service on the Zoning Hearing Board, as presented. **Passed** with 5 ayes

APPROVE RESOLUTION 2017-18 AUTHORIZING THE APPLICATION TO DCED FOR A MUNICIPAL ASSISTANCE GRANT

Manager Oswalt informed the Board of Supervisors that Resolution 2017-18 is to authorize an application to the Department of Community and Economic Development for a municipal assistance grant. If received, the grant will be used to help fund the Joint Comprehensive Plan update with Dover Borough.

Motion by M. Menges and seconded by R. Stone to approve Resolution 2017-18 authorizing the application to DCED for a Municipal Assistance grant, as presented. **Passed** with 5 ayes

AUTHORIZATION TO HAVE THE TOWNSHIP MANAGER EXECUTE THE ANIMAL CONTROL CONTRACT FOR 2018

Manager Oswalt provided a proposed Animal Control Contract for the 2018 calendar year along with the 2017 calendar year's Animal Control Contract. Manager Oswalt informed the Board of Supervisors of highlighted changes in costs from year to year.

Motion by C. Richards and seconded by S. Parthree to authorize the Township Manager execute the Animal Control Contract for 2018, as presented. **Passed** with 4 ayes and 1 nay per M. Menges

RICHARD POPE APPLICATION FOR ZONING HEARING BOARD ALTERNATE POSITION

Manager Oswalt informed the Board of Supervisors that Mr. Richard Pope submitted an application to volunteer for the Zoning Hearing Board. Mr. Donald Bupp has resigned, thus leaving an opening. Mr. Wright, whom was an alternate, has been moved up into a permanent position. Now the Township must seek an alternate.

Motion by M. Menges and seconded by S. Parthree to accept and approve Richard Pope's application for the Zoning Hearing Board Alternate Position, as presented. **Passed** with 5 ayes

AUTHORIZE TO HAVE THE CHAIR EXECUTE THE RIGHT OF WAY AND CONSTRUCTION EASEMENTS WITH THE KRISTERS, MILLERS, FOXS FOR THE WILLAPA/DANIELLE STORMWATER IMPROVEMENT PROJECT

Motion by R. Stone and seconded by M. Menges to authorize the Chair to execute the Right of Way Construction Easements with the Krister's, Miller's and the Fox's for the Willapa/Danielle Stormwater Improvement Project, as presented. **Passed** with 5 ayes

DISCUSS THE EMIG MILL ROAD BRIDGE IMPROVEMENT FUNDS

Mr. Fleming informed the Board of Supervisors that upon the Emig Mill Road Bridge inspection of May 16, 2017, the engineers recommended improvements. Mr. Fleming requested C.S. Davidson to provide a proposal to complete the necessary design and permitting. This should be done so that the Township may be in the process of considering the bidding of this work in 2018. The estimate total from C.S. Davidson equated to \$9,400.00. This estimate is greater than the balance within the current general fund budget. The Township has \$25,000.00 budgeted within the State Fund for Oakley Drive storm sewer engineering. Mr. Fleming would like to request using a portion of the \$25,000.00 funds to complete the engineering work on the necessary Emig Mill Road Bridge improvements.

Motion by M. Menges and seconded by C. Richards to authorize the use of a portion of the funds from the budgeted Oakley Drive storm sewer engineering project be reallocated towards the necessary engineering work needed on the Emig Mill Road Bridge improvements, as presented. **Passed** with 5 ayes

DISCUSS THE FOX RUN ROAD BASE REPIAR STATUS

Mr. Fleming stated that the Fox Run Road base repair contract with Stewart & Tate has not progressed as planned. Mr. Fleming stated that the Fox Run Road base repair work was scheduled for July but had not begun until August 17th. The contracted work was to be completed on August 18th. The work on this project is still being performed as of today's date. This contracted project allows for liquidated damages at the rate of \$825.00 per calendar day. This matter being proposed to the Board is up for consideration as to if the Township should pursue the liquidated damages considering the necessary work was contracted to be completed before the start of the new school year.

Motion by C. Richards and seconded by M. Menges to authorize the Township Public Works Director; Mr. Michael Fleming, to make the decision as to charge the contractor for the liquidated damages where the contractor did not meet the contract terms, aside from any additional work that was needed, as presented. **Passed** with 5 ayes

APPROVE THE PERMANENT AND TEMPORARY RIGHT OF WAY AGREEMENT FOR THE SHAFFER'S ON CARLISLE ROAD

Motion by R. Stone and seconded by S. Parthree to approve the Permanent and Temporary Right of Way Agreement for the Shaffer's on Carlisle Road, as presented. **Passed** with 5 ayes

MS4 Updates

APPROVE ORDINANCE NUMBER 2017-07 AUTHORIZING THE TOWNSHIP'S PARTICIPATION IN THE YORK COUNTY STORMWATER CONSORTIUM PROGRAM

Motion by R. Stone and seconded by C. Richards to approve Ordinance Number 2017-07 authorizing the Township's participation in the York County Stormwater Consortium Program, as presented. **Passed** with 4 ayes 1 nay per M. Menges

DISCUSS NOTICE OF INTENT TO APPLY FOR AN MS4 PERMIT

Mr. Fleming informed the Board of Supervisors of the MS4 Notice of Intent (NOI) for the period 2018-2023 is due before September 16th, 2017. The NOI document must also be signed by either a principal executive officer, ranking elected official or other authorized employee.

C. Richards acknowledged Township personnel on their great efforts towards MS4 projects and the many improvements made regarding various areas of the MS4 process.

Motion by R. Stone and seconded by C. Richards to approve the Chair to sign the Notice of Intent to apply for an MS4 Permit, as presented. **Passed** with 4 ayes 1 nay per M. Menges

NOTICE OF STORMWATER IMPROVEMENT SEMINAR TO BE HELD SEPTEMBER 19TH, 2017

Mr. Fleming informed the Board of Supervisors that a Stormwater Improvement Seminar is to be held on September 19th, 2017. This seminar will be held at the Brookside Park Carousel Building on 4054 Fox Run Road from 6:30 PM to 7:30PM.

OLD BUSINESS

None to note.

COMMENTS FROM THE BOARD

S. Parthree – S. Parthree informed the Board that at this time, the Senior Center is having no further movement in the direction of the McNaughton collaboration with regards to the creation of a new Senior Center.

M. Menges – M. Menges informed the Board of Supervisors and public present on his views regarding the presentation given this evening regarding livestock. M. Menges feels that the indication being expressed by the presentation is that what one chooses to do with their property is completely legal; however, another person does not like what a person has chosen to do with their property, therefore a request for a change is made. M. Menges stated that he is not in favor

of this theory.

PUBLIC COMMENT

None to note.

With no further business, the meeting was adjourned by Chairman Stefanowicz at 9:15 PM.

Respectfully submitted by: _____
Tiffany Strine, Recording Township Secretary