

**DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
MEETING MINUTES
SEPTEMBER 26, 2016**

The Dover Township Board of Supervisors' Meeting for Monday, September 26, 2016, was called to order at 7:00 PM by Chairperson Matthew Menges in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Matthew Menges, Stephen Parthree, Charles Richards, Robert Stone and Stephen Stefanowicz. Other Township Representatives in attendance were Laurel Oswalt, Township Manager; Terry Myers, Township Engineer; Cory McCoy, C.S. Davidson; Attorney Charles Rausch, Township Solicitor; Michael Fleming, Township Public Works Director Officer and Dawn Strausbaugh, Recording Secretary. Georgia Sprenkel, Township Zoning Officer and Tiffany Strine, Township Secretary were absent with prior notification. There were seven citizens present. Officer Andrew Shaffer and Chief Mark Bentzel of the Northern York County Regional Police Department. This meeting is being recorded for the purposes of minutes only.

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

Chair Menges rearranged the agenda items to accommodate the Police Officer Presentation. Chair Menges began the regular meeting requesting approval of Resolution 2016-25.

Approval of Resolution 2016-25

Recognizing Officer Andrew Shaffer of the Northern Regional Police Department

The Township recognized and presented Resolution 2016-25 to Northern Regional Police Officer Andrew Shaffer for his recent act of service while off duty. Chair Menges read the resolution aloud acknowledging Officer Andrew Shaffer of the Northern Regional Police Department for his assistance to a dispatched emergency call to a residence in Dover Township in which an elderly male had a fatal cardiac arrest event while mowing his lawn. Officer Shaffer aided in notification to the family members, facilitated the Coroner's Office and funeral home with the deceased's transportation. He later returned to the deceased's home to offer his condolences and finished mowing the lawn and put the equipment into storage. This exhibition of notable character earned Officer Andrew Shaffer the Board's recognition as it showed his dedication and service to the Dover Township Community.

Chief Mark Bentzel acknowledged that Officer Shaffer just completed his fifteen-month probation with the Police Department and he is pleased with Officer Shaffer's job performance. Chair Menges and Officer Andrew Shaffer posed for a photograph. The Board, Township staff and audience stood and applauded Officer Shaffer's service.

Motion by R. Stone and seconded by C. Richards to Approve Resolution 2016-25 Recognizing Officer Andrew Shaffer of the Northern Regional Police Department, as presented. **Passed** with 5 ayes

Chair Menges returned to the regular items listed on the Board of Supervisors Agenda.

APPROVAL OF THE WORK SESSION MEETING MINUTES FOR SEPTEMBER 12, 2016

Motion by R. Stone and seconded by C. Richards to approve the Work Session Meeting Minutes for September 12, 2016, as presented. **Passed** with 5 ayes

APPROVAL OF THE BOARD OF SUPERVISORS MEETING MINUTES FOR SEPTEMBER 12, 2016

Motion by R. Stone and seconded by C. Richards to approve the Board of Supervisors Meeting Minutes for September 12, 2016, as presented. **Passed** with 5 ayes

TREASURER'S REPORT

Approval of Current Expenditures

Motion by S. Stefanowicz and seconded by C. Richards to approve the warrant total for September 16, 2016, in the amount of \$12,567.79, as presented. **Passed** with 5 ayes

Motion by S. Stefanowicz and seconded by C. Richards to approve the warrant total for September 26, 2016, in the amount of \$274,938.82, as presented. **Passed** with 5 ayes

PUBLIC COMMENT

Jerry Shaffer – 2271 Sky Top Trail

Carlisle Road Property - Proposed Commercial Property Development Proposal and Plans

Mr. Shaffer approached the Board with concept plans to develop the Carlisle property commercially. Proposed uses include a body shop, other commercial businesses, such as a landscaping business, storage and possibly an urgent care facility. The property consists of nine acres and currently houses a retention pond. He questioned what the Township can do in respect to this community storm water basin. Along with Mr. Shaffer was Brad Peters, who was his project engineer.

Mr. Myers explained that the regional storm water basin was designed to control the peak runoff for the upstream commercial lots up to seventy-five percent (75%) impervious cover. Mr. Myers specified at the time the basin was designed and built, the Township Storm water Management Ordinance only required rate control. The current Township Ordinance also requires infiltration and water quality. Dover Township's policy has been that if you have an approved Land Development or Subdivision plan and build exactly what was approved, you are not required to meet the current ordinance requirements. One may build in accordance with the approved plan. While there is a basin designed to provide rate control for this parcel, there was never an approved Land Development and therefore the infiltration and water quality portion of the current ordinance will need to be addressed. Discussion proceeded regarding the elevation

of the basin with respect to the lay of the parcel and how a portion of the parcel is lower than the basin. Mr. Myers indicated that there are some options that can be pursued during the design phase for this specific Land Development Plan.

Chair Menges informed Mr. Shaffer that the Board wants to maximize his potential to allow Mr. Shaffer the opportunity to do what he has planned with his property. Mr. Menges noted that a signed agreement exists with Jerry Shaffer's parents and Dover Township in which the Shaffer's would continue to mow the retention facility while the Township performs any necessary maintenance work.

Mr. Shaffer questioned the Board's desire to utilize a right-of-way for a by-pass. Mr. Myers explained that the Township's 2007 Comprehensive Plan shows the concept of a Bypass around the southwestern side of Dover Borough. The Master plan for the golf course property included a roadway along its western edge which ties into a fifty foot (50') right of way that was reserved thru the Donwood subdivision, which is adjacent to this parcel. Attorney Rausch reported that Dover Township never created an Official Map, showing this bypass, and therefore the Property Owner has no legal requirement to incorporate it into his plan.

Mr. Stone; along with the rest of the Board, were in agreement that they want to pursue the by-pass. This public street would dictate the front and side setbacks for the proposed building location on his concept plan.

Mr. Richards inquired as to whether the Palomino Road by-pass was still a viable option. Mr. Myers further explained that the Palomino Road extension; upon completion, would provide a connection from Carlisle Road to Davidsburg Road. The Southwest Bypass would not tie into the Donwood street system, but only pass thru a corner of the property. The concept of the Bypass tying into the Donwood Development was discussed in the earlier review process of the plans. The developers of the Donwood development did not want to allow the potential truck and bus traffic traveling thru the residential neighborhood.

Chair Menges suggested that this topic be discussed at a future work session.

SOLICITOR'S REPORT by Township Solicitor Attorney Charles Rausch

Discuss Possible Sale of Township Recreation/Open Space Areas

Attorney Rausch was asked by the Township Manager to research the potential sale of certain Township owned recreation open areas. Attorney Rausch advised that these parcels are deeded as "recreation areas" or "public open space" deeming it possible for any resident to have the right to contest the selling of public owned property. It has been dedicated for that sole purpose. The process to remove this restriction would involve a petition being rendered to the Court of Common Pleas.

Authorization to Forward the Rezoning Request for 2900 Emig Mill Road from R – 3 Zoning to R – 4 Zoning

Attorney Rausch reported that the Dover Township Planning Commission recommended that

they are in favor of the rezoning from R-3 to R-4 for the Copper Chase Apartments, LLC. Copper Chase is proposing an expansion to the current townhouse units along Emig Mill and Baker Roads. The zoning amendment to R-4 will allow eight units per acre. On the 30-acre tract, the property could accommodate a maximum of two hundred forty (240) dwelling units. If the Board is inclined, the next step is to forward the rezoning request will be forwarded to the York County Planning Commission for their review.

Motion by R. Stone and seconded by S. Parthree to approve the rezoning request for Copper Chase Apartments, LLC from R-3 to R-4 to be forwarded to the York County Planning Commission for their review, as presented. **Passed** with 5 ayes

Discuss Members 1st Palomino Road Extension Project

Attorney Rausch reported that in a prior meeting with Members 1st, in order for the Palomino Road to be extended; a request that the Township obtain a variance for Members 1st from the Dover Township Zoning Hearing Board was made. The new road right-of-way would encroach on seven hundred fifty (750) square feet of their existing facility offering no way to rebuild the structure in its entirety in the event of an unforeseen circumstance.

Board consensus was to have the Township Manager inform Members 1st that Dover Township did not want to be placed in that position with the Zoning Hearing Board and that they would be diverting their attention to another access for their by-pass.

Davidsburg Road – Jayne Lane – Tower Drive Traffic Improvements

Attorney Rausch informed the Board that easements have been signed by Mr. Barry Rauhauser and Ruby Bray for the Barrich South Subdivision. A relative to Ms. Ruby Bray was located and encouraged Ms. Ruby Bray to contact the Township regarding this matter. The Board must accept these two deeds of dedication in order to have them recorded. Right-of-way agreements are still needed from the Ashley Farms developer and two property owners along Davidsburg Road.

Motion by R. Stone and seconded by S. Parthree to accept the deeds of dedication for the Davidsburg Road, Jayne Lane, Tower Drive Traffic Improvements Project, as presented. **Passed** with 5 ayes

ENGINEER'S REPORT by Township Engineer Terry Myers

2016 Water System Improvements Bid Results

Mr. Myers informed the Board that bids were opened on Friday September 23, 2016 for the Township's 2016 Water System Improvement projects. There were eight (8) bidders total, with the low bid being submitted by Joao & Bradley in the amount of nine hundred thirty-five thousand, two hundred thirty-six dollars and eighty cents (\$935,236.80). After a review was conducted, Mr. Myers did have some concerns with the low bid. Mr. Myers noted that the trench paving restoration work was estimated at one (1) cent per square yard. After contacting the low bidder, it was expressed that the costs were absorbed in other line items. Joao &

Bradley will be requested to submit surety in a performance bond. Mr. Myers's recommended the Board award to the low bid, contingent upon a meeting with Joao & Bradley to initiate an agreement to satisfy the Township solicitor, Township engineer and Township staff that restoration work will be satisfactorily completed.

Motion by R. Stone and seconded by C. Richards to award the 2016 Water System Improvements to Joao & Bradley; subject to the Township Engineer's and Township Solicitor's approvals, as presented. **Passed** with 5 ayes

Nursery Road Culvert Update

Mr. Myers informed the Board that bids were to be opened on Thursday, September 8, 2016 but only one bid was received from Kinsley. Since the Township has been awarded a Community Block Grant for this project, it is the County's policy not to award a contract based solely on one bid. The bid was returned to Kinsley unopened. Thus, it was determined that Mr. Myers and Mr. Fleming would review the project because it was suggested that potential bidders did not submit bids due to the fact that they were unsure what they may encounter behind the project area's stone wall.

The Board was informed that to this date, the permit has not yet been processed by the Pennsylvania Department of Environmental Protection. Hence, both parties will work toward an alternate repair to assist in lowering the estimated cost of the Nursery Road Culvert Project.

MANAGER'S REPORT by Township Manager Laurel Oswalt

Approval of New Dover Township Animal Control Officer Michelle Klugh

Manager Oswalt informed the Board of the resignation of Mike Ellis; the current Dover Township Animal Control Officer, at the end of this year. Manager Oswalt has conducted several interviews for other providers of this service and recommended Michelle Klugh. Michelle Klugh services several other municipalities within York County.

Motion by C. Richards and seconded by S. Parthree to Approve New Dover Township Animal Control Officer Michelle Klugh, as presented. **Passed** with 5 ayes

Discuss Bull and Nursery Road Intersection Complaint Letter

Manager Oswalt received a letter from an Attorney for Matthew Lamparter of 4090 Bull Road. This letter addressed safety concerns in regards to the intersection of Bull Road and Nursery Road. Bull Road is a state road. PENNDOT is unwilling to discuss this matter with the property owner. The referenced letter made two (2) suggestions for resolve. The first was to transform the intersection to a ninety (90) degree angle, this would be costly and would need PENNDOT approval. The second was guiderail installation. This particular intersection does not meet the criteria for guiderail. The Regional Police provided an accident report analysis on this intersection for a three (3) year time frame for which only two accidents were reported at this specific location. Mr. Lamparter was present to express his safety concerns.

The Board requested that the Public Works Director and the Township Engineer work on possible solutions to this matter.

Approval to Identify Ecostruction LLC as a Non-Responsible Bidder for the Fox Run Road Bridge 366 Project

Manager Oswalt informed the Board that Ecostruction LLC did not post a performance bond for the bridge project at Fox Run Road. Therefore, they are deemed as a non-responsive bidder. Action by the Board is required to rescind their quote.

Motion by R. Stone and seconded by S. Parthree to reject the quote from Ecostruction LLC as a Non-Responsible Bidder for the Fox Run Road Bridge 366 Project, being so due to lack of posting their performance bond, as presented. **Passed** with 5 ayes

Approval to Advertise and Sell Township Real Property

Manager Oswalt reported that the Township has various surplus items that they would like to sell on Municibid with the Board of Supervisors authorization.

Motion by S. Parthree and seconded by C. Richards to approve to advertise and sell Township real property, as presented. **Passed** with 5 ayes

The Board was informed by Manager Oswalt that the next Board of Supervisors Meeting will be preceded and followed by a Budget Work Session for the 2017 proposed Budget.

OLD BUSINESS

Manager Oswalt informed the Board that the Committee for the construction of the new maintenance building has met with Core Design Concepts engineering and that she would like to present the Board with the first draft of the plans for three (3) construction phases for the new maintenance building.

The Board and Township personnel are awaiting the costs associated with the new construction plans to determine whether the presented projects will be feasible under the proposed upcoming budget.

ADDITIONAL COMMENTS FROM THE BOARD

R. Stone voiced comment regarding the long wait times on Canal Road during the school bus traffic transition from the Intermediate school to the High School for student dismissal. R. Stone would like consideration to determine a more efficient method of traffic control regarding this matter.

S. Stefanowicz announced that the Dover Township Wastewater Treatment Plant will be hosting their Annual Open House on Tuesday, September 27, 2016 from 3:00 PM to 7:00PM. The Pennsylvania Department of Environmental Protection is expected to be present at the Wastewater Treatment Plant.

C. Richards announced that Tim Himes; a Dover Township Volunteer Fireman, will be receiving the Good Citizen Award for his revival of an overdose victim. This award is presented by the American Red Cross. C. Richards stated that his honorable actions should be recognized in the form of a Township Resolution.

Manager Oswalt stated that the budgeted sewer relining project for Phase three (3) will be performed through the Costars Purchasing Program by Abel Construction, so long as the Board has no objections

The Board collectively agreed that they have no objections with using Costars for the Phase three (3) sewer relining project.

Chair Menges sincerely thanked Township staff, supervisors and friends for their well wishes and cards in the recent passing of his mother.

PUBLIC COMMENT

None to note.

With no further business, the meeting was adjourned by Chair Menges at 9:17 PM.

Respectfully submitted by: _____
Tiffany Strine, Recording Secretary