DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
October 22, 2012

The Dover Township Board of Supervisors regular meeting for Monday, October 22, 2012 was called to order at 7:00 PM by Chairwoman Shermeyer in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Chair Madelyn Shermeyer, 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; Georgia Sprenkel, Zoning Officer; Charles Farley, Public Works Director; Bradley Hengst, Sewage Enforcement Officer; and Dawn Slegel, Recording Secretary. There were 12 citizens seated in the audience. This meeting has been recorded for minute purposes only.

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.

It was announced that Supervisor Love was absent from the meeting with prior notification.

APPROVAL OF MEETING MINUTES FOR SEPTEMBER 24, 2012
Motion by C. Richards and second by M. Husson to approve the meeting minutes for September 24, 2012 as presented. Passed with 4 ayes.

APPROVAL OF BUDGET WORK SESSION MINUTES FOR OCTOBER 8, 2012
Motion by M. Menges and second by M. Husson to approve the meeting minutes for October 8, 2012 as presented. Passed with 4 ayes.

TREASURER’S REPORT
Motion by M. Husson and second by C. Richards to approve the warrant total for October 1, 2012 in the amount of $5,725.79 as presented. Passed with 4 ayes.

It was brought to the attention of the Board members that the warrant total and check listing for October 8, 2012 contained a difference of $9,950.00 due to two checks which were printed on October 4, 2012.

Motion by M. Menges and second by M. Husson to approve the correct total for October 8, 2012 in the amount of $170,756.08 as presented. Passed with 4 ayes.

The warrant produced a large total due to the payment of a water and a sewer bond and the fourth quarter payment for police services.

Motion by M. Husson and second by M. Menges to approve the warrant total for October 19, 2012 in the amount of $2,014,389.33. Passed with 4 ayes.
PUBLIC COMMENT PERIOD

Listed on the Agenda

Bernadette Reinking, 2536 Danielle Drive - Stormwater Issue - Ms. Reinking presented photographs of her stormwater and erosion concerns. Along with her was her neighbor, Wilson Snook of Willapa Drive. Ms. Reinking has two stormwater easements along the side and across the rear of her property which are showing signs of erosion.

Manager Oswalt reported that the Highway Crew Leader did a preliminary assessment of the problem and thought it may cost approximately $25,000 to fix. Additional construction easements are also necessary to complete the work. The Board requested further investigation by the Township Engineer.

Lisa Raffensberger for Rodger and Nancy Raffensberger, 2340 Tower Drive - Stormwater and Road Issues - Ms. Raffensberger noted her concerns of the condition on the portion of Tower Drive off Route 74 with sink holes developing from stormwater run-off. She asked for a storm drain in front of her parents’ home at 2340 Tower Drive.

The Township Engineer will check into potential inlet connections of the storm sewer from the Lauer Tract on to the narrow portion of Tower Drive (off Route 74).

Jeff Frank for Doris Frank, 2551 Berkshire Lane - Sewer Easement Agreement - The Township Sewer Collection Crew needs to repair a broken sewer line in the sewer easement between 2551 and 2543 Berkshire Lane. The property at 2551 Berkshire Lane is currently under a sales contract. The new owners are aware and agreeable with the situation which will require another easement agreement to allow the Township to remove a small portion of the existing paved driveway.

Board Consensus was given to authorize the Township Solicitor to prepare the additional sewer easement agreement with the property owner of 2551 Berkshire Lane in order to make the necessary sewer repairs by removing a portion of the existing paved driveway.

Atty. Rausch requested that the Franks get the agreement of sales for 2551 Berkshire Lane to the Public Works Director.

Not Listed on the Agenda

Bradley Hengst, Township Sewage Enforcement Officer, presented the planning module for Richard Stone of 5260 Pinchtown Road for a small flow treatment facility. Due to a malfunction in the septic system, the property owner at 5260 Pinchtown Road has submitted a proposal for the use of a small flow treatment facility which will flow into a nearby stream. His planning module was approved by the Dover Township Planning Commission. It requires a signed resolution by the Board of Supervisors; approval of a maintenance and installation agreement between the property owner and the Township; and an agreement with the property owners, Dean Smith and his wife, who are the downstream property owners into which the treated sewer will flow.
Motion by M. Menges and second by C. Richards to approve Resolution 2012-19 authorizing the planning module for 5260 Pinchtown Road and the above associated agreements as noted by the Township Sewage Enforcement Officer. Passed with 4 ayes.

Jeff Straley, 3690 Stonehouse Lane, requested an update on the repairs to the Wyngate Stormwater Basin.

The Township Engineer reported on his search for available grants to improve the intermittent stream (fed by springs) which runs through Mr. Straley’s property. A construction easement agreement is needed from Mr. Straley in order to complete the improvements to the basin and the channel. If Mr. Straley will agree to sign the easement allowing the Township access, the Township will continue to work with Mr. Straley to alleviate the erosion issues and amount of run-off at his driveway crossing and beyond. The Township has to complete the FEMA work at the Wyngate basin by the first week in March, 2013 in order to receive the funding.

Mr. Straley was agreeable to sign a construction easement agreement with the Township in order to complete the FEMA work for the Wyngate basin.

Mr. Myers will revise the draft easement agreement to cover the affected area and send it to Mr. Straley. He will also assist in drafting a letter of commitment from the Board of Supervisors to Mr. Straley to work on his stream issues.

Board Consensus will commit to working on stream improvements at 3690 Stonehouse Lane as grants and funding become available.

Michael Hoover, 2543 Berkshire Lane, also Doris Frank’s neighbor, requested direction from the Board on his permitted fence within the sewer easement. He has agreed to remove his fence in order to make the repair, but he has additional expenses with removing and installing his fence.

Mr. Hoover was informed that this sewer easement is a recorded easement on his property and he currently has two options which consist of removing the fence and replacing it at the same location requiring a fence license agreement with the Township or replacing his fence outside the easement area. If he decides to replace the fence within the easement, then each time the Township has to access the easement, the fence must be removed and reinstalled at the property owner’s expense.

Donald Hammer, 2925 Wilmar Drive, provided photographs of his stormwater and flooding issues in his and his neighbor’s backyards on Danielle Drive. He had an engineer’s report done for the installation of a culvert pipe which noted that the little stream behind his house services 130.61 acres. He claimed that the stormwater is coming from the Ashley Farms Development.

The Township Engineer will be investigating the stormwater concerns in the Willsford Development.

There weren’t any further comments from the public at this time.
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ZONING OFFICER’S REPORT by Georgia Sprenkel
Resolution 2012-17 Approving Additional Land in the Agricultural Security District - Ms. Sprenkel requested approval of the resolution adding the property of Jerry and Patricia Leib located at 3440 West Canal Road into the Agricultural Security Program. The property consists of 76 acres totaling the registered acreage to 6,197.876 in Dover Township.

Motion by M. Husson and second by M. Menges to approve Resolution 2012-17 approval of the additional land into the Agricultural Security District. Passed with 4 ayes.

Rezoning Discussion - Ms. Sprenkel reported that the Horn Farm along Bull Road and Hilton Avenue is currently for sale. It was rezoned R3 by the Horns’ rezoning request to establish an age restricted development on 138 acres of the property with 22 acres on the front portion of Bull Road zoned Commercial. The R3 Zone could potentially contain a high density of five dwelling units per acre of multi-family housing which would have a detrimental effect on the school district.

The Board reviewed the current zoning map of Dover Township noticing the large amount of property zoned R3. They proposed to change three parcels presently zoned R3 presently. These included: the Lamparter property above the Industrial Park proposed to be changed from R3 to Agriculture; the Lamparter property at East Canal Road and Cardinal Lane (right below the R1) from R3 to R1; and the Horn property from R3 to Commercial.

Board Consensus was to forward these above proposals to the Dover Township Planning Commission at their next meeting for their review.

Motion by M. Husson and second by C. Richards to authorize the Township Solicitor to draft an ordinance to submit to both the Dover Township Planning Commission and the York County Planning Commission for the above zoning amendments. Passed with 4 ayes.

ENGINEER’S REPORT by Terry Myers
Wyngate Stormwater Basin Quotes - Mr. Myers reported that he received three quotes for the basin repairs at Wyngate Road: The three quotes for the construction work were from H & H General Contractors for $12,750; Conewago Excavating & Paving for $13,200; and Fly Way Excavating for $14,950. The materials will cost an additional $2,000.

Motion by M. Menges and second by C. Richards to award the contract work for the Wyngate Stormwater Basin to H & H General Contractors for the low quote of $13,200 $12,750 conditioned on obtaining the easement from Jeff Straley. Passed with 4 ayes.

SOLICITOR’S REPORT by Atty. Rausch
Authorization to Advertise Amending Chapter 16 “Parks and Recreation” of the Dover Township Code of Ordinances - Atty. Rausch reported that the proposed ordinance revises the penalty phase of Chapter 16 of the Codified Ordinances. The penalty will be amended to provide for a maximum of $1,000 with the District Justice establishing the penalty based on the violation.
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Wording to the Ordinance will be corrected from District Justice to Magisterial District Judge.

Motion by M. Husson and second by M. Menges to authorize the advertisement amending Chapter 16 “Parks and Recreation of the Dover Township Code of Ordinance. Passed with 4 ayes.

Amendments to the Municipal Solid Waste Ordinance - The Penn Waste Representatives could not be present this evening to explain their proposed amendments. Therefore, the proposed ordinance amendments were tabled until the next Board meeting.

AT & T Cell Tower Lease Amendments for Locust Road – Atty. Rausch reported that phone communication between him and AT & T was deficient so he will be sending a memo outlining the Township’s concerns of their proposed amendments. At this point, the status of the lease amendments between AT & T still remain ongoing.

MANAGER’S REPORT by Laurel Oswalt
Resolution 2012-18 Disposition of Municipal Records - Motion by M. Husson and second by C. Richards to approve Resolution 2012-18 for the disposal of municipal records. Passed with 4 ayes.

Authorization to Advertise the 2013 Proposed Budget - Motion by M. Menges and second by M. Husson to authorize the advertisement of the 2013 Proposed Budget. Passed with 4 ayes.

The 2013 Proposed Budget will be on the agenda for adoption at the November 26, 2012 Board of Supervisors Meeting.

2013 SPCA Animal Care and Housing Agreement - Motion by M. Menges and second by M. Husson to approve the 2013 SPCA Animal Care and Housing Agreement. Passed with 4 ayes.

Additional Items Presented:
Brookside Park Benches - Manager Oswalt reported that the idea of utilizing park benches to keep motor vehicles off the brick patio had been suggested. The Recreation Director is seeking donations from businesses and organizations to purchase the park benches for along the sidewalk at the Carousel Building. A picture of the benches was provided to the Board.

The Board was agreeable with the concept.

South Salem Church Stormwater Improvements Project - Manager Oswalt reported on a meeting held with Mike Summerville of PennDOT regarding the stormwater improvements on South Salem Church Road. PennDOT will present the agreements to the affected property owners for signatures.

Ashley Farms Homeowners Association - Manager Oswalt reported for informational purposes that she received a phone call that the Ashley Farms Homeowners Association may possibly go defunct and the Township’s responsibilities if they were to handle the maintenance in the Ashley Farms Development.
Admire Springs Stormwater Obstruction - Manager Oswalt reported that the portion of Admire Springs Development which does not have a homeowners association is having an issue with an obstruction placed by a property owner within the stormwater easement leading to the retention pond. A Township water property is also affected by this obstruction. At this time, the Township will not participate in this neighborhood matter.

Manager Oswalt requested a brief executive session after this meeting on personnel issues involving the Union Contract.

PUBLIC WORKS DIRECTOR'S REPORT by Charles Farley
Authorization for Township Solicitor to Prepare an Agreement with 2251 Berkshire Lane for Existing Paving in Sanitary Sewer Right-of-Way - This agenda item had been previously covered.

Approval for Requiring Stormwater Management Applicant to Pay a $750 Deposit for the Township Engineer Review - Mr. Farley reported that if a Township Engineer review is required for a stormwater management plan that is when the applicant would pay the $750 deposit.

Motion by M. Menges and second by M. Shermeyer to approve the $750 deposit for the Township Engineer’s review of the Stormwater Management Plans. Passed with 4 ayes.

Approval for Prepaid Fees for Post Construction Inspections of 10 Years Performed by Staff & Engineer - Mr. Farley explained that the post construction inspections fall into two categories. Group A are for inspections required every three years after the first year inspection and Group B are for annual required inspections. Pre-paid inspection fees would be paid along with the building permit fees and are proposed at $500 for Group A and $900 for Group B.

Motion by M. Husson and second by C. Richards to approve the prepaid fees for post construction inspections of ten years performed by the Staff and Township Engineer. Passed with 4 ayes.

Input on Stormwater Management Fees - Mr. Farley reported that a stormwater management fee based on forty cents per square footage of new impervious surface would cover the associated costs. He recommended arranging for Nathan Walker of AMEC to attend a work session to discuss funding options by other municipalities.

Board Consensus was to table this agenda item until Nathan Walker of AMEC can attend possibly the next work session on November 26, 2012 at 6:00 PM.

OLD BUSINESS
Brake Retarder Discussion - From previous discussion, the Board had the Township Manager investigate the criteria for the prohibition of brake retarders on State roads. It was discussed and determined that the Board wanted the Township Staff to determine whether the following State roads did not exceed a 4 percent downhill grade: Canal, Carlisle, and South Salem Church Roads. If these State roads qualify, then the Board wants to proceed with traffic studies to prohibit the use of brake retarders.
COMMENTS/NEW BUSINESS FROM THE BOARD OF SUPERVISORS
Supervisor Richards commented on his brief appearance at a recent employees’ training seminar. It was his observation that the staff seemed to be enjoying and participating in the session.

Chair Shermeyer commented that PennDOT has cut back the bank at the intersection of West Canal and Biesecker Roads. She would like to thank Mr. Detter for allowing the State to cut back the bank beyond the road right-of-way to resolve the sight issue at this intersection.

Mr. Myers also reported that the sight distance issues have been addressed at the intersections of Nursery Road and George Street and Cherry Orchard and Nursery Roads.

COMMENTS FROM THE PUBLIC PRESENT
There were no comments from the public at this time.

With no further business, the meeting was adjourned at 9:43 PM by Chair Shermeyer into an Executive Session regarding personnel issues and one on the Union Contract.

Respectfully submitted by: ________________________________

Dawn D. Slegel, Township Secretary