

**DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
OCTOBER 28, 2013**

The Dover Township Board of Supervisors regular meeting for October 28, 2013, was called to order at 7:00 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; and Trena Hall, Recording Secretary. L. Gordon Walker and Steven Hovis were in attendance to make a presentation. There were three citizens in the audience. This meeting has been recorded for minute purposes only.

Prior to this meeting there was an Executive Session to discuss a potential matter of litigation on flooded properties, personnel matters and a sump pump issue.

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 SEPTEMBER 23, 2013

Motion by M. Shermeyer and seconded by M. Husson to approve the meeting minutes for September 23, 2013, as presented. **Passed** with 5 ayes.

APPROVAL OF BUDGET WORK SESSION MINUTES FOR OCTOBER 14, 2013

M. Husson noted to change a typographical error on page 10 of the October 14, 2013 Minutes. Change the incorrect spelling of Recreation In-~~Lieu~~ of Fund to Lieu.

Motion by M. Husson and seconded by M. Menges to approve the Budget Work Session meeting minutes for October 14, 2013, as amended. **Passed** with 5 ayes.

TREASURER'S REPORT OF CURRENT EXPENDITURES

Motion by M. Shermeyer and seconded by C. Richards to approve the warrant total for October 14, 2013, in the amount of \$328,213.28, as presented. **Passed** with 5 ayes.

Motion by M. Shermeyer and seconded by C. Richards to approve the warrant total for October 18, 2013, in the amount of \$71,776.98 for Liquid Fuels, as presented. **Passed** with 5 ayes.

Motion by M. Husson and seconded by C. Richards to approve the warrant total for October 28, 2013, in the amount of \$1,569,171.98, as presented. M. Husson noted that this warrant is high because of the expense of the Sewer Bond payment. **Passed** with 5 ayes.

PUBLIC COMMENT PERIOD

On the Agenda

George Trageser – 3249 Walker Avenue – Update on Stormwater Issues – Mr. Trageser previously attended the September Board meeting about drainage issues on his property. He noted that this matter has been going on for over a year and provided pictures of the unsatisfactory work that has been completed by Mr. Nadu. Mr. Trageser noted that on October 3, 2013, his neighbor told him that someone came and filled in the bad areas on his property with dirt. The dirt was patted down by foot and had netting and straw applied over top. That following Monday morning Chuck Farley called him and left a message discussing the work that was done. Mr. Farley indicated that he had visited the property and felt the work was adequate. The Township will continue to monitor the situation.

M. Menges questioned Mr. Trageser if he had ever called the Township to let them know that there were still issues occurring on the property. Mr. Trageser noted that he never advised the Township that there were still issues. He felt through previous conversations with Mr. Farley, about the possibility of the items washing away, the Township would know.

Manager Oswald will look into this matter, but noted that planting grass at this point of the year is not feasible. Mr. Trageser questioned why this work was not done a year ago for the material to take hold. He also questioned why grading has not been done since his yard is flat. These lots were constructed before the revised grading regulations were instituted. Mr. Nadu and Mr. Fisher were to be responsible for the grading. The Board questioned what can be done to make the contractor grade and stabilize the area correctly.

Terry Myers asked if this issue is about his yard or the swale. Mr. Trageser noted it is the swale that is flat and because of this the swale will never dry out. Mr. Myers noted that the straw bales in the catch basin will need to be removed and repairs made when the weather breaks.

Mr. Trageser noted that the standing water started at 3243 Walker Avenue. This lot is now putting in a 16' x 18' shed and he has not seen a permit displayed. Manager Oswald noted that the homeowner has applied for a permit and will also need to apply for stormwater management.

Chair Love acknowledged that the allotted time was over. The Board understands that this problem is not going away, but the Board cannot give Mr. Trageser a definitive answer on this situation, this evening.

Richard Cohen – 3083 Honey Run Drive – Erosion of the Creek Bank on his Property – Not present

Ellen Carter – Accident Analysis at Fox Run Road and East Canal Road – Ellen Carter was present to discuss her accident at Fox Run Road and East Canal Road. On April 27, 2013, shortly after 8:00 AM she was traveling on Fox Run Road, which is an unfamiliar road to her. She was stopped on Fox Run Road heading north. After looking both ways, she began to cross over East Canal Road and was struck on the rear passenger side by a vehicle traveling west on East Canal Road. She was not injured but her car was damaged.

With assistance from Township Staff, Ellen Carter obtained traffic accident information on this intersection from January 2009 to April 28, 2013. There have been 15 crashes with two injuries. These accidents have all happened during the day hours, when head lights cannot be seen.

Ms. Carter requested the Board look into improvements at this intersection.

The Board requested a letter to be sent to PENNDOT requesting that the intersection be studied.

Lisa Raffensberger – 2340 Tower Drive – Water Lying on the Street in Front of Her Parents Property – Not present. Manager Oswalt did contact her and informed her that the improvements for this project are in the 2014 Budget.

L. GORDON WALKER WAS MOVED FORWARD FROM THE MANAGER’S REPORT

L. Gordon Walker from PFM was present to discuss an attractive package to save money on the 2013 General Obligation Note. This note is pre-payable at any time without penalty. The fixed rate is 2.05%. The bank is requesting a 10% deposit of \$171,000 at closing. The bank would like to close by the 6th of December. The Township will be holding settlement on the 3rd of December. The loan amount will be for \$1,710,000.00 with a savings of \$119,394.94 or 7.26%. PeoplesBank will be purchasing the General Obligation Note.

Steven Hovis was present to discuss the revised Ordinance 2013-05 for the Issuance of the 2013 General Obligation Note. This revised ordinance is required to send into DCED. The purpose of the 2013 General Obligation Note is to refund the Note of 2010. The Township and Authority have no current intent to borrow beyond the \$10,000,000.00 threshold in 2013.

Motion by M. Shermeyer and seconded by C. Richards to approve Ordinance 2013-05 for the issuance of the General Obligation Note, Series of 2013, in the aggregate principal amount of \$1,710,000 for the purpose of providing funds for the current refunding of the Township’s General Obligation Note, Series of 2010, as presented. **Passed** with 5 ayes.

Roll Call for this Motion	M. Menges	aye
	M. Husson	aye
	M. Shermeyer	aye
	C. Richards	aye
	Chair Love	aye

ENGINEER’S REPORT by Terry Myers

Terry Myers presented a summary of Kinsley Construction, Inc. repair increases and decreases in costs. Kinsley’s contract ended up being \$5,448.68 more than the original contract amount since extra base repair was needed on Pineview Road and Pineview Circle. The actual cost of paving materials were - \$11,418.22, but \$24,887.00 of handicap ramps and extra curbing from the unexpected piping replacement was needed. Therefore, the total contract pricing was \$18,917.46 more than the original contract.

Recon Construction Services, Inc. was \$8,327.65 less since not as much base repair was needed on Alta Vista Road. .

With both contracts the Township went about \$13,204.36 over budget.

Kinsley Construction's change order #3 was for an increase of \$6,635.68. This is not final because there is still some work to complete in Dover Borough.

Motion by M. Menges and seconded by M. Shermeyer to approve Contract Change Order #3 for Kinsley Construction with the increased amount of \$6,635.68, as presented. **Passed** with 5 ayes.

Kinsley's total contract for the Township will be a total of \$132,247.68. Application for Payment #2 will be for the total amount of \$45,870.03. This figure is calculated by the total claim to date, minus 5% retainage. When the Borough work is complete, Kinsley will come back for the release of the retainage amount.

Motion by M. Husson and seconded by M. Menges to approve the Application for Payment #2 for Kinsley Construction in the amount of \$45,870.03, as presented. **Passed** with 5 ayes.

Recon Construction Services, Inc. Change Order #1 Final for Contract #2 showed a reduction of \$8,327.65.

Motion by M. Menges and seconded by C. Richards to approve Contract #2 Change Order #1 Final for Recon Construction Services, Inc. reducing the amount by \$8,327.65, as presented. **Passed** with 5 ayes.

Recon Construction Services, Inc. Application for Payment #2 Final showed a total contract cost of \$69,334.85. The Township has already paid \$62,401.37. There will be no retainage fee. The net amount to be approved for payment is \$6,933.48.

Motion by C. Richards and seconded by M. Husson to approve Application for payment #2 Final with Recon Construction Services, Inc. in the amount of \$6,933.48, as presented. **Passed** with 5 ayes.

The Barwood Basin repairs. The contractor is having material delivered today. Work should be completed by the end of the week. More material may be needed to complete this job due to wash outs from the flood.

Manager Oswalt asked Terry Myers to have all bills in for payment in a prompt manner.

SOLICITOR'S REPORT by Charles Rausch

Mr. Rausch has not heard back from the McNaughton's or the York Water Company. He will follow up with both.

MANAGER'S REPORT by Manager Laurel Oswalt

Approval for the Manager to Sign the Animal Care & Housing Agreement with the SPCA – Each Township pays .50 per person.

Motion by M. Husson and seconded by C. Richards to approve Manager Oswalt to sign the Animal Care & Housing Agreement with the SPCA for 2014, as presented. **Passed** with 4 ayes. **Opposed** by M. Menges.

Approval to Advertise the 2014 Budget – The budget is balanced.

Motion by M. Shermeyer and seconded by C. Richards to approve the advertising of the 2014 Budget, as presented. **Passed** with 5 ayes.

Approval for a Traffic Study on Pine Hill Road – Since Mr. Farley cannot complete the needed traffic study; the Township will need to hire York County Planning Commission. This study will cost around \$250.00 with additional costs for an ordinance and advertisement.

The Board cannot justify completing a traffic study at this time.

Approval of Kristine Keener's Lease Agreement – The dollar amount has been changed to an even amount. Kristine Keener did question about having a four year lease.

Motion by M. Menges and seconded by C. Richards to approve Kristine Keener's Lease Agreement, as presented. **Passed** with 5 ayes.

Discuss No Parking on Butter Road – Brad Lentz contacted Manager Oswalt about a traffic study, the Borough had completed for no parking on Butter Road. The study warranted no parking on both sides of the road. The Borough is adopting the no parking on their side.

Manager Oswalt will have the Public Works Director investigate the matter. An ordinance can be created to make this area No Parking.

Discuss Well Isolation Distance Waiver at 4080 Bull Road – Since the last Board meeting, Brad Hengst revisited this property and noted that the well cannot be moved, without interfering with the neighbors septic systems. Approving the waiver will allow the well to be subject to the property owner's septic system only. Water tests have passed inspection and Brad is fine with granting the waiver with a condition that they will have the well tested annually.

Attorney Rausch noted that an agreement can be made, with the Township having no liability.

Motion by M. Shermeyer and seconded by M. Menges to approve the waiver at 4080 Bull Road, with an agreement that will be made and recorded by Attorney Rausch, as presented. **Passed** with 4 ayes. **Opposed** by M. Husson.

Approve Resolution 2013-19 to Adopt Dover Township Job Description for Township Manager and Township Administrator/Payroll – This resolution is naming Manager Laurel Oswalt as the HIPPA Security Officer and Assistant Privacy Officer and Dawn Strausbaugh as HIPPA Privacy Officer and Assistant Security Officer.

Motion by M. Shermeyer and seconded by M. Husson to approve the Job Descriptions for Manager Oswalt, as the HIPPA Security Officer and Assistant Privacy Officer and Dawn Strausbaugh, the Township Administrator/Payroll, as the HIPPA Privacy Officer and Assistant Security Officer, as amended. **Passed** with 5 ayes.

Approve Resolution 2013-20 to Recognize Hunter W. Zeigler with the Rank of Eagle Scout – C. Richards will be attending the ceremony. A certificate and a copy of the Resolution will be provided for Hunter Zeigler.

Motion by M. Husson and seconded by M. Menges to approve Resolution 2013-20 to recognize Hunter W. Zeigler with the rank of Eagle Scout, as presented. **Passed** with 5 ayes.

Approve Resolution 2013-21 for the Disposition of Municipal Records –

Motion by M. Shermeyer and seconded by M. Menges to approve Resolution 2013-21 for the disposition of Municipal Records, as presented. **Passed** with 5 ayes.

PUBLIC WORK DIRECTOR’S REPORT by Charles Farley presented by Manager Oswalt

The Board was concerned that the issues with Sunday Septic is still happening. An agreement was made in March of 2013, for a payment plan of \$500 a month to be paid until Mr. Ferry was current. Mr. Ferry made a few monthly payments and stopped.

Board Consensus was that Sunday Septic’s permit to dispose of septic matter would be revoked until some restitution is made on what it owed. A letter will be sent stating that he must pay half of what is overdue (\$2,200) and keep up with the monthly \$500.00 payments till the past due amount is paid off, plus keep the current amount owed in good order.

AWWA Runner Up Award Plaque – This award was received for an article which was published in AWWA OpFlow Publications and was written by Ryan Gentzler, Corey Flythe, and Charles Farley. The Board wanted to recognize these employees for a job well done.

OLD BUSINESS

No Comments

COMMENTS/NEW BUSINESS FROM THE BOARD OF SUPERVISORS

C. Richards wanted to thank all of the Township employees for an excellent job with the flooding in October. Not only did the Township crews all pull together during the flooding but in completing the additional emergency work on Pine Road and Pineview Road.

M. Shermeyer noted the Declaration of Disaster Emergency needed to be filed for the flood that took place on October 11, 2013. Chuck DeLauter asked to have the elected officials sign the Declaration.

Motion by M. Shermeyer and seconded by C. Richards to approve the Chairperson, Vice Chairperson and the Secretary to sign the Declaration of Disaster Emergency for the flood of October 11, 2013, as presented. **Passed** with 5 ayes.

M. Husson wanted to find a way to honor the Township employees for the Safety Award for Zero Lost Time. The employees have done a fine job over the year to prevent loss. The Board suggested providing a recognition lunch, apparel, or any physical item. Manager Oswalt will research some of the suggested items.

M. Husson has an ambulance meeting Wednesday night and is hoping to receive more information on the EMS situation.

Chair Love wanted to thank everyone who helped with the Stormwater Seminar on October 17, 2013. The April seminar will be talking about Storm Preparedness and “How You Can Act Now”. Hosted by Manchester

COMMENTS FROM PUBLIC PRESENT

No Comments

With no further business, the meeting was adjourned at 8:50PM by Chair Love.

Respectfully submitted by:

Trena M. Hall, Township Secretary