

**DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
NOVEMBER 10, 2014**

The Dover Township Board of Supervisors regular meeting for November 10, 2014, was called to order at 7:02 PM by Chair Monica Love in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Monica Love, Matthew Menges, Charles Richards, Stephen Parthree, and Stephen Stefanowicz. Other Township Representatives in attendance were Laurel Oswalt, Township Manager; Attorney Charles Rausch, Township Solicitor; Charles Farley, Township Public Works Director and Trena Hall, Recording Secretary. There were 7 citizens 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.

There was a work session held prior to this meeting. Nathan Stone, Dover Township GIS Specialist, was present to give a Geographic Information System (GIS) demonstration.

APPROVAL OF THE WORK SESSION MINUTES FOR OCTOBER 27, 2014

Motion by S. Parthree and seconded by S. Stefanowicz to approve the work session minutes for October 27, 2014, as presented. **Passed** with 5 ayes

APPROVAL OF THE MEETING MINUTES FOR OCTOBER 27, 2014

Motion by C. Richards and seconded by S. Parthree to approve the meeting minutes for October 27, 2014, as presented. **Passed** with 5 ayes

TREASURER'S REPORT

Motion by M. Menges and seconded by C. Richards to approve the warrant total for November 10, 2014, in the amount of \$677,041.77, as presented. **Passed** with 5 ayes

PUBLIC COMMENT PERIOD

On the Agenda

Daniel Eno – 3570 & 5181 Carlisle Road – Discuss Garbage Collection - Mr. Eno purchased a new property on May 20, 2014 in Dover Township and sold his old property in Dover Township on October 25, 2014. Mr. Eno was confused when he began receiving two trash service bills. He was only living at one of the properties and only using one service while he was between the homes. He questioned the Board if there should be a different mandate for a single family that is buying and selling property in Dover Township, compared to an investor. Mr. Eno proceeded to tell the Board how patient the Township's staff was when explaining the mandated trash service billing to him on 3 separate occasions.

Mr. Eno also wanted to state that democracy is still alive and well in Dover Township. He appreciated the time that he has been given to speak and wanted to thank the Dover Township Supervisors and staff for their services to the community.

Gerald Heckener – 3595 West Canal Road – Locust Point Grinder Pump System – Mr. Heckener recently built and moved into his new home on October 10, 2014. On October 12, 2014, he had water rushing up out of the ground around the grinder pump. This was creating a hole in the yard so he turned the pump off. The next day Township employees arrived and noticed that his valve was off. As Township staff looked around the line, which runs behind the neighboring properties, they realized the valve was on and there must be a closed valve somewhere in the line. When the plumber opened the clean outs, water came out and relieved the pressure. Mr. Heckener did not believe it was his responsibility to be walking through neighboring properties looking for this valve that was turned off. As time went by, staff found a valve that was shut off on another property. When this valve was opened, water started to come back out of the clean outs. This meant the water was back feeding. Mr. Heckener had the manufacturer from Philly come out to repair and reinstall the pump. As the pump began to run a problem started. This meant something was shut off. The Township noted that the valve needed to be closed off when the one down the street was opened. Mr. Heckener noted that he paid the repair bill and plumber over \$544 for repairs and reinstallation. The Township offered to come back and fill in the hole created. Mr. Heckener is asking the Board for reimbursement on the fees that have incurred. He believed that the Township never opened this sewer line.

Chair Love noted that this is not the Township's responsibility to pay for repairs to his pump. Mr. Heckener noted that the pump was only active for two days and the line was closed. The pressure fed back to his grinder pump and had no place to go so it started blowing the pump out. Luckily the pump automatically shuts down when operating improperly and only burnt out a \$400 piece of rubber. There was no way that he or his installer had any idea that this line needed to be opened up. He provided copies of the bills to Mr. Farley.

Mr. Farley noted that Township employees are stating that the valve was open. Mr. Heckener interrupted that this is not what Township employees told him. Once the clean outs were opened all the water came up and went away. Chair Love noted that this meant something was open. The line goes 210' to the shut off and the valve was shut off. His line was then reopened and no water came out. Then Township employees found the valve that was closed. When this was opened the water back fed and came up through the yard again. Township employees had to shut his off again. The water had nowhere to go when hitting the closed valve so it pushed back to the pump and relieved in his yard, forming a hole, which Mr. Heckener just graded.

Mr. Farley asked if this discussion could be tabled. Chair Love agreed and was not comfortable in making a decision at this point. The story varied on both sides. Chair Love noted that this would be tabled for a month and to have Mr. Farley review this matter. Mr. Heckener noted that this has already been going on for a month. Mr. Farley noted that an inspection is needed by an engineer and maybe the Board could waive this fee. Mr. Heckener had already received his occupancy permit and followed what was asked by the Township. Mr. Heckener had the manufacturer repair and installed the new part and pump. Mr. Farley asked if Mr. Heckener received a letter from the manufacturer that the pump has been installed correctly. Mr. Heckener did not receive a letter to this date.

The Board will be in contact with Mr. Heckener after they are better informed on this matter.

Not on the Agenda

Brian Widmayer – Township Fire Department – Mr. Widmayer was asking for the Board's approval to proceed with a few budgeted improvements. The following improvements will be financed 100% by the Fire Department and have an estimated cost of \$65,000. Plans and costs have been received from area contractors that the Township uses. Improvements include: upgrading the apparatus bay flooring to a non-slip ¼" millage aggregate floor, costing between \$32,000 and \$35,000 to do the entire apparatus bay and maintenance room. Painting the walls and ceilings in the bays, replacing lighting with energy efficient lighting, moving the water spigot, having an air-line installed, replace leaking sink and lines in the apparatus bay. An aggregate floor is needed because of the weight of the fire trucks. The floors will be cleaned with soap and water. The Fire Department will be applying for a debt reduction grant from the state of Pennsylvania to aid them with this work. If the Board agrees to these improvements, Mr. Widmayer will begin applying for needed permits. The Fire Department will also need permission to use the social hall for one week when the floor is upgraded in the spring. Besides the trucks, everything needs to be out of the bays. They will need space to house their gear.

SOLICITOR by Attorney Charles Rausch

No business to report.

MANAGER'S REPORT by Manager Laurel Oswalt

Authorize Ordinance 2014-08 for Dover Township to Guaranty the Authority's 2014 Bonds – Gordon Walker commented that the Township received a AA- rating and great comments. The rating applies to the Township and the Authority bonds. The Township will be using a Parameters Ordinance that will not only allow for a bank loan or a bond issue but if there are any delays it will allow for a closing in December of 2014 or into the new year. Mr. Walker will be meeting with the Authority on Wednesday, November 19, 2014 to explain the transaction and to recommend a bank loan for the savings since this will be a short term loan. Steve Hovis will prepare a Parameters Resolution for the deal.

Attorney Rausch noted to add the new 2015 language into the new ordinance. Section 8 had added information to satisfy the rules on recording and on the second page of the second whereas the wording “or Guaranteed Sewer Revenue Bonds, Series of 2015” was added in case this would get pushed into the 2015 year. The updated ordinance was not published in the Board’s packet but Mr. Walker did have the correct version available for the Board to sign.

Motion by C. Richards and seconded by S. Stefanowicz to authorize ordinance 2014-08 for Dover Township to guarantee the Authority’s 2014 Bonds, as presented. **Passed** with 5 ayes

Approve the \$1,755.00 Bid for the Snow X V Pro 6000 Cinder Spreader and the \$13,650.00 Bid for the John Deere 6310 with a Bengal Tiger Flail Mower 2001 that was advertised on Municibid-

Motion by S. Parthree and seconded by M. Menges to approve the \$1,755.00 bid for the Snow X V Pro 6000 Cinder Spreader and the \$13,650.00 bid for the John Deere 6310 with a Bengal Tiger Flail Mower 2001, as presented. **Passed** with 5 ayes

Approve Animal Control Contract with Mike Ellis – Mike Ellis is the current animal control officer. There were no issues for the 2014 year and the cost was not raised for the 2015 year.

Motion by M. Menges and seconded by C. Richards to approve the Animal Control Contract with Mike Ellis for 2015, as presented. **Passed** with 5 ayes

M. Menges noted that on the Animal Control Contract on paragraph U the contract notes that the cost of gasoline is \$3.49 per gallon. The current cost of gasoline is around \$3.00.

Authorize the Extension of Tee to Green Mowing Agreement for Two More Years for the Same Contract Price – Tee to Green have offered to extend their agreement for two more years at the same contract price. This is not required to be put out for bid. There have been no issues with their services.

Motion by M. Menges and seconded by C. Richards to authorize Manager Oswalt to notify Tee to Green in writing to extend the mowing contract services for a period of two more years at the same contract pricing, as presented. **Passed** with 5 ayes

Authorize Secretary to Sign the Planning Waiver & Non-Building Declaration for the Kenneth Kottmyer Estate on Poplar Road - This plan has not yet been in front of the Board. This property has three homes and will be subdivided into two lots. Utilities are already present.

Motion by M. Menges and seconded by S. Parthree to authorize the Secretary to Sign the Planning Waiver & Non-Building Declaration for the Kenneth Kottmyer Estate, as presented. **Passed** with 5 ayes

Application for Shane Patterson to apply for the Industrial/Commercial Development Committee (ICDC) – Mr. Patterson currently is employed as a banker and has held prior positions on the Board of Supervisors, Zoning Hearing Board, and Planning Commission.

Motion by S. Parthree and seconded by C. Richards to appoint Shane Patterson a member of the ICDC, as presented. **Passed** with 5 ayes

Manager Oswalt noted that an executive session will be held.

PUBLIC WORKS DIRECTOR’S REPORT by Charles Farley

Approve the Construction Administration and Resident Representation Services for Buchart Horn, Inc. for the East Canal Sewer Lining Project – The Board recently approved the \$12,500 for the administration of the project but the 400 inspection hours were not agreed. The number of hours for inspection will be determined by Charles Farley, Chris Hamme and Manager Oswalt.

Motion by S. Stefanowicz to approve the Construction Administration and Resident Representation Services for Buchart Horn, Inc., for the East Canal Sewer Lining Project.

M. Menges amended and seconded this motion with the Township putting a cap on the 400 inspection hours with Buchart Horn, Inc. and needing written approval if more inspection hours are needed, as presented. **Passed** with 5 ayes

Fox Run Road – This guide rail can be updated by installing a collapsible or boxer glove end treatment. The boxer glove end treatment must be installed at a 75 degree turn from traffic and require a right-of-way from the property owner. More posts and wood or plastic offsets can be added. Mr. Farley is looking to implement a general guide rail replacement project list. Guide rail replacements are not mandated to be replaced by a certain time period.

Locust Point Grinder Pump – Mr. Farley wanted to inform the Board on more information to this matter. This system is a low pressure system. The property owner at 3591 West Canal Road decided to subdivide his property in 2006 and sell a portion. This required an extension to the original Locust Point System and at this point the valve would have had to have been closed. Board members questioned issues on how the Township was going to know when to open the valve and why more action was not taken before the certificate of occupancy was issued. Charles Farley noted that there were opportunities along the way to avoid this issue but the

homeowner did sign the agreement to have the inspection with Buchart Horn, Inc. With the agreement, the pump should have been installed according to the installation manual showing that the discharge valve is turned open during the testing period. The Building Code Department believed that the house was built to code and the occupancy certificate was issued. The lateral was checked as with a normal home. It is believed that this grinder pump was lost in the paperwork. Mr. Heckener believed that the inspection had taken place since the certificate of occupancy was received. Buchart Horn, Inc. was not contacted by either party. There has been miscommunication on both sides.

Mr. Farley asked the Board to waive the engineer inspection fee since this would be around the same cost of the incurred bills. Township crew completed the lateral inspection, the repair and installation with inspection was completed by the manufacturer's representative. Mr. Farley and Mr. Hamme are satisfied with the manufacture's installation and inspection and are not requiring Buchart Horn, Inc. to come out and inspect. The system is currently operating properly.

In reviewing the agreement, there is no easement allowing the Township to go onto his property. This valve is not the Township's since there is no easement. The agreement does not note who takes responsibility for the valve. The agreement does note that if there are any problems with the pump it is the property owners issue to handle. The agreement also notes that that it is the homeowner's responsibility to pay for the engineer inspection cost. The Township does not own the low pressure line at 3591 West Canal Road but do have rights on the rest of the line. An easement needs to be recorded for this property.

Manager Oswald suggested options of waiving the estimated \$500 inspection fee, create an easement and record, and provide half of the money back to Mr. Heckener, on bills incurred.

Chair Love is comfortable with the Township paying half of the incurred expenses. The Township could waive the engineer inspection fees but he would pay for the remainder of what needs to be done, or he pays for what he has incurred and we waive the inspection and what is need for the easement.

Chuck Farley noted for the Board to waive the engineer inspection in lieu of the cost of the pump and provide assistance on the easement. The Board suggested putting the responsibility to the Sewer Authority to deal with the easement.

Motion by C. Richards and seconded by S. Stefanowicz to waive the engineer inspection fees, the Township reimburse half of the \$544 fees incurred, and allow the Sewer Authority to follow through with the drafting of the easement and recording, as presented.

M. Menges suggested not paying the incurred fees but pay the recording fee of the easement.

Manager Oswalt suggested that a release be created on this matter.

S. Parthree asked if the Board could still enforce the homeowner to have an engineer inspection completed. Attorney Rausch was unsure since a certificate of occupancy has been issued.

Amended Motion proceeded to waive the engineer inspection fees, the Township will reimburse half of the \$544 plus fees incurred, allow the Sewer Authority to follow through with the drafting of the easement and recording, and have a release signed that this issue is closed, as presented.

Passed with 3 ayes and 2 nays by C. Love and M. Menges

OLD BUSINESS

Discuss Fire Department Improvements – Approval is needed from the Township since this is the Township's property. The Fire Department is paying for the improvements. The Fire Department will also need permission to use the Community Center for at least a week when the bay floors are being resurfaced. Township permit fees are asked to be waived but Plumbing and Electric will need inspected.

Motion by M. Menges and seconded by S. Parthree to approve the Fire Department to make the improvements to the flooring, painting, lighting, replacing the sink, moving the water spigot, installing an air-line, allowing the use of the Social Hall for about one week, and waiving any Township permitting fees that will occur with the remodeling, as presented. **Passed** with 5 ayes

COMMENTS/NEW BUSINESS FROM BOARD OF SUPERVISORS

C. Richards asked Brian Widmayer what situation arose on a cardiac arrest on Friday, November 7, 2014, off of Village Square Drive. Mr. Widmayer noted that the Fire Department, Medic Unit, and Dover Ambulance were all dispatched. Fire Department responded first and started CPR, Medic Unit with two paramedics arrived, and the ambulance arrived. As Mr. Widmayer helped the paramedics set up the Fire Department was dispatched for a structure fire in West Manchester Township. On the scene were 2 paramedics, 2 EMT's, a police officer, Mr. Widmayer, and 5 volunteers from the Fire Department. Mr. Widmayer directed his group to leave and attend to the fire call. As another police officer arrived, Mr. Widmayer decided to leave. He asked the police if they would be staying and if they could help the EMT and paramedics if assistance was needed. The police agreed. Mr. Widmayer left the scene to attend to the fire call.

C. Richards noted to Mr. Widmayer to make sure that everyone is communicating and are working as a team. C. Richards was concerned that the fire call was outside of our township and was put ahead of a life in our township. Mr. Widmayer agreed and noted that the Fire

Department goes above and beyond to help ambulance 6 with daily operations. M. Menges noted that communities don't end at the township line.

M. Menges wanted to note that the road crew did a great job on the Baker Road and Emig Mill Road Intersection.

Chair Love mentioned to Brian Widmayer about complaints that have been received on the speed of the fire trucks. Chair Love noted to please ask staff to watch their speed.

With no further business, the meeting was adjourned by Chair Love at 8:42 PM, continuing into an executive session on Union Contract Discussions and potential litigation involving Doli Construction.

Respectfully submitted by: _____
Trena M. Hall, Township Secretary