

**DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
NOVEMBER 24, 2014**

The Dover Township Board of Supervisors regular meeting for November 24, 2014, 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, Matthew Menges, Charles Richards, Stephen Parthree, and Stephen Stefanowicz. Other Township Representatives in attendance were Laurel Oswalt, Township Manager; Attorney Charles Rausch, Township Solicitor; Terry Myers, Township Engineer; Karen Wilson, C.S. Davidson; Charles Farley, Township Public Works Director; Georgia Sprenkel, Township Zoning Officer; and Trena Hall, Recording Secretary. There were two 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.

APPROVAL OF THE WORK SESSION MINUTES FOR NOVEMBER 10, 2014

Motion by M. Menges and seconded by C. Richards to approve the work session minutes for November 10, 2014, as presented. **Passed** with 5 ayes

APPROVAL OF THE MEETING MINUTES FOR NOVEMBER 10, 2014

Motion by S. Stefanowicz and seconded by C. Richards to approve the meeting minutes for November 10, 2014, as presented. **Passed** with 5 ayes

TREASURER'S REPORT

Motion by M. Menges and seconded by S. Parthree to approve the warrant total for November 24, 2014, in the amount of \$247,682.31, as presented. **Passed** with 5 ayes

PUBLIC COMMENT

Not on the Agenda

Dave Hoffman – 4202 Davidsburg Road – Mr. Hoffman questioned the bridge replacement on Route 74. This work will be completed by PENNDOT and will take place in 2017.

ZONING REPORT by Georgia Sprenkel

PL 14-9 Kenneth Kottmyer Final Subdivision Plan – 3 Lots – Dave Hoffman was present to explain the Kottmyer subdivision located on Poplar Road, south of Park Street. There are two properties involved. Currently 1825 Poplar Road and 1835 Poplar Road are vacant and 1845

Poplar Road is occupied but will be for sale. Setback issues currently exist. Proposed plans show moving the property line to make the setbacks between the two lots more compliant. The property line between 1825 and 1835 will be moved to between 1835 and the 1845 addresses, making 1845 a single lot. The water service meter, that services all three units from Poplar Road, will need to be reconnected. Two new services will need to be added. 1835 and 1845 will share a lateral and 1825 will have its own lateral. There will be two sewer laterals with 1825 being independent. There will be an easement connecting the sewer laterals between the properties. The easement will be on Lot 2. An easement agreement has been created to help with the maintenance and any disagreements of the properties. This agreement has been submitted to the Board for Attorney Rausch to review.

There is a waiver requesting public improvements since this plan is only moving a property line and two independent parking spaces are being added on Lot 1. The cross easement and operations and maintenance agreements must be provided and recorded. These agreements have been submitted to be reviewed by Attorney Rausch. Another agreement has been made for the overlapping of property lines with neighbors to allow the property lines to remain as they are.

C.S. Davidson noted that the frame and cover details are not on the plan. These are the standards for a lateral located in paved areas so that the cleanout is protected. There is currently one by the garage. This can be added as a detail and pointed out where it is needed to be placed. Input will be needed from the Township on whether or not the private clean out is subject to this requirement.

Other issues involve the surety of the improvements. The owner would like to complete improvements immediately so no bonds are needed. The paving will not be able to be completed until warmer weather arrives. The Board suggested creating an agreement, receiving a letter of credit, or putting money into escrow to secure this. If the laterals can be completed in the next few months, the parking area can be established but will not have the asphalt paving. Attorney Rausch suggested an agreement that no occupancy would be given until this is completed. If the property would sell, the needed amount of money could be held in escrow to complete the remaining work. Manager Oswald suggested giving a temporary occupancy with a \$1,500 deposit and refunds \$100 less when complete.

Terry Myers noted that when the owner receives the excavating contract, have the contractor give a price and sign the contract for the paving. Once the contract is in place, bring that to the Township and the amount of money quoted to cover the contract will be put into an escrow account.

Motion by M. Menges and seconded by C. Richards to grant the waiver request for PL 14-9 Kenneth Kottmyer Final Subdivision Plan for three lots as follows: Where a subdivision abuts or contains an existing street of inadequate width, the developer shall provide sufficient additional

right of way and cartway widths to meet the following stands (§ 704.b), as presented. **Passed** with 5 ayes

Motion by M. Menges and seconded by S. Stefanowicz to approve PL 14-9 Kenneth Kottmyer Final Subdivision Plan for three lots, contingent on the completion of the following open items: 1. Prior to final plan approval, a disk in an electronic format compatible with the Township GIS system, should be provided (§ 501.2.A); 2. The legal and/or equitable Owner's notarized signature must be added to the plan certifying concurrence with the plan (§ 501.H); 3. The water services, sewer laterals and clean outs are currently being reviewed by Dover Township Public Works (§ 501.2.DD) this item will be left open; 4. A copy of the easement agreement for the sanitary sewer easement created with this plan should be provided to the Township. The agreement will not be recorded with the plan. The plan must note the easement agreement with the detailed maintenance responsibilities that will be executed at the time of the transfer of the property; 5. An escrow will be needed for any outstanding required improvements that are not done before the plan is recorded, as presented. **Passed** with 5 ayes

ENGINEER'S REPORT by Terry Myers

Pine Road Water Line Project – Mr. Myers provided an update on this project. The project is complete and a final walk through inspection will be done on Tuesday, November 25, 2014. The finalized items will be discussed and the final requests for additional payments will be proposed at the next Board meeting with the final documents. The solicitor discussed at an executive session, 11 additional items that the contractor was requesting for payment. Mr. Myers noted that the contractor is adding one more mismarked service line, additional time for hitting rock when crossing under the water line, and fees for a compaction test on the trenches in the street that the PENNDOT permit required.

Sanitary Sewers North of the Borough – Terry Myers informed the Board that the sewer line could come straight across the field from the Raycom Industrial Park sewers connecting around Jim and Nena's. Mr. Myers will try and contact the owner of this field. This project would involve running the sewer line straight up Carlisle Road, completing borings across road, abandoning the two existing sewer lines and extending the line on the west side of Carlisle Road to pick up a few more homes. The old existing line cannot be used because of the material and the many breaks from over the years. Mr. Myers believed that the old lines were in place before the Township had a treatment plant and this is why the sewer line connects into the Borough. A cost estimate for this project is around ~~\$1.3 Million~~ *\$1.7 Million* with utilizing a pump station in the area of George Street. The Board discussed putting the pump station on the Lighthouse Church property. Mr. Myers noted that there is a low area on the west side of the church property.

M. Menges questioned if this pump station and sewer upgrade will only handle the current flow or handle enough to keep continuing farther north to some of the homes and businesses. Mr.

Myers noted that a forced main should be installed to handle additional flows and that the pump station can be upgraded for future needs with motors and pumps.

SOLICITOR'S REPORT by Attorney Charles Rausch

Approve Resolution 2014-26 Adopting Tax Exempt Bonds Tax Compliance and Continuing Disclosure Procedures Policy – This policy was prepared by a bond council which includes provisions for continuing disclosure is to satisfy the SEC requirements.

Motion by M. Menges and seconded by S. Stefanowicz to adopt resolution 2014-26 adopting Tax Exempt Bonds Tax Compliance and Continuing Disclosure Procedures Policy, as presented. **Passed** with 5 ayes

Discussion Regarding Verizon/Shentel Corral Lease – Attorney Rausch was looking for direction from the Board on the Admire Road water tank corral lease. Currently T-Mobile and Double Dog have antennas on the tank. Now Verizon and Shentel are asking to install antennas. So there is no interference between users, Verizon and Shentel inquired about installing a corral on the tank. Currently the two new users have a verbal agreement to install the corral. Verizon will install the corral and Shentel will reimburse half of the cost. Verizon would like wording put into the lease noting that if Shentel backs out without contributing, the Township would force the next user to pay half of the cost. Attorney Rausch noted that this agreement needs to be in writing and the Township should not be in the middle of this agreement or need to be the enforcer.

Board Consensus was to have Verizon and Shentel create an agreement and not have the language of the Township forcing a new user to pay for half of the costs of the corral, in the lease.

MANAGER'S REPORT by Manager Laurel Oswalt

Approve Resolution 2014-23 to Adopt the 2015 Annual Budget – This budget is balanced with no tax increase.

Motion by C. Richards and seconded by M. Menges to approve the 2015 Annual Budget, as presented. **Passed** with 5 ayes

Approve Resolution 2014-24 Fixing the Tax Rate for 2015 – This is for the real estate tax.

Motion by S. Stefanowicz and seconded by S. Parthree to approve resolution 2014-24 fixing the Tax Rate for 2015, as presented. **Passed** with 5 ayes

Approve Resolution 2014-25 Fixing the Tax Levies for 2015 – Taxes included are real estate transfer tax, per capita tax, earned income tax, amusement device tax, mercantile license tax, and local services tax. All amounts will stay the same.

Motion by M. Menges and seconded by S. Stefanowicz to approve resolution 204-25 fixing the Tax Levies for 2015, as presented. **Passed** with 5 ayes

Approve Resolution 2014-27 Disposition of Municipal Records – These are records that are listed under the Pennsylvania Historical and Museum Commission Bureau of Archives and History that can be disposed.

Motion by M. Menges and seconded by S. Parthree to approve resolution 2014-27 for the disposition of municipal records, as presented. **Passed** with 5 ayes

Manager Oswalt noted that there will be an executive session on personnel.

PUBLIC WORKS DIRECTOR'S REPORT by Charles Farley

Discuss the Potential Removal of the Guide Rail at 3520 Fox Run Road – Northern Regional Police completed an average daily traffic count on Fox Run Road. They confirmed that over 6,000 vehicles travel on this road daily; warranting that a clear zone is necessary. PENNDOT recommends by the size and travel of the road that there should be nothing 12'-14' from the lane.

Dover Township has already completed the required PENNDOT recommendations for road marking and signage. One more recommendation is to remove the guide rail based on liability. This guide rail was installed years ago to protect private property requested by area residents.

One of the main factors in this situation is that vehicles are traveling over the speed limit.

M. Menges agreed that the guide rail should be removed but would like to see additional markings or signage be installed bringing more attention to the curve. He suggested on the approach to the curve installing 2' white delineators, bringing attention to the outside and center of the curve. Chair Love noted to repaint the road markings better with more reflective material.

S. Stefanowicz noted that residents feel the area is dangerous and the guide rail is important to them. He believed that by removing the guide rail, the Township is showing residents that PENNDOT is more important than our own residents. Manager Oswalt noted that the guide rail currently prevents the escape of another vehicle on the road. The motoring public is the Township's responsibility. Attorney Rausch agreed and noted that since the Township has had this study done and the guide rail is warranted for removal, the Township would be held liable if there is an accident.

S. Parthree suggested giving the guide rail to the resident when removed. The residents have already installed boulders.

The concerned residents have been made aware, in person and at a Board meeting, that this rail may be removed. S. Stefanowicz stated that the residents should be informed when this guide rail will be removed and that the Township will need to access this property to remove the guide

rail. This will give the residents time to take their own measures on additional safety for their property.

Motion by M. Menges and seconded by Chair Love to authorize the removal of the guide rail on Fox Run Road, giving the affected residents a 60 day notice to take their own measures for additional safety to protect their property. The Township will look at additional options of remarking the curve and adding delineators on the side and center of the curve to draw attention to the curve, as presented. **Passed** with 4 ayes and opposed by S. Stefanowicz

Option for the Sewer Line North of the Borough – This would be a good time to revisit Dover Towne Apartments to make a possible partnership on this project. Terry has verbally spoken to Bob Sandmeyer and Bob Katherman that the Township is looking at extending the sewer.

OLD BUSINESS

No comments

COMMENTS/NEW BUSINESS FROM BOARD OF SUPERVISORS

M. Menges questioned if the 25 MPH speed change signage, leaving the Borough on Canal Road, is marked correctly. The signage does not allow you to go 40 MPH until you pass the police department. He thought that the 25 MPH sign should be 40 MPH. Chair Love asked for this to be reviewed.

M. Menges and S. Parthree met with representatives from United Water about the interest in leasing the Township's Waste Water Treatment Plant and Water Department to them. United Water would come in and lease these systems from the Township. The Township employees would become employees of United Water, this company would manage the system's day to day operations, complete upgrades and billing. The Township would receive an initial payment, paying off any debt related to the systems, additional money up front and annual revenue. Rates would be set as part of the initial agreement and when or how much they would be increased. United Water would budget money for each year to make capital improvements.

United Water offered to come to a Work Session and give a presentation. If allowed, the Township will need to provide some information as follows: a copy of the 2012-2013 financial audits on water and waste water, the number of employees, a copy of the consent order, assets and the value of the assets, the current rates, number of customers, operational expenses, and a capital plan for each of the systems.

Leasing would require a change to our joint sewer agreements. The Board would need to discuss how the Township would be able to propose new projects to this new company.

Board Consensus was to allow United Water to come to a Public Work Session in 2015. Manager Oswalt will prepare the information that United Water is requesting.

Chair Love discussed the letter from Mr. John White at 3613 Kortni Drive. Mr. White is questioning when this road will be adopted and Georgia Sprenkel advised him that it will be adopted but she did not know when. Mr. White is concerned that there is not enough security collected to complete the project. He noticed that the builder, Hogan Enterprises, has removed their construction trailers and put the lots up for sale. The developer is Mesa Holdings formerly Cornerstone. When the Township would send out letters asking developers if they were interested in turning over roads, the developer never received these letters because the letters were going to the builder. If the developer would have known there were enough homes built, they would have completed the work for adoption.

Chair Love would like to have the developer notified that if paving is not planned for 2015 the bond will be looked at again and all of the outstanding work will be reviewed and need updated. In 2008 C.S. Davidson did a final punch list and the Township noted that there were not enough homes completed and only a wearing coarse was applied meaning now more work will be needed. Terry Myers suggested for the future, instead of the Township having to police the contractor's wearing coarse for any damages, the Township should require with the building permit that the escrow be increased and be returned if there is no damage.

Georgia Sprenkel will contact the developer in writing that if the paving is not completed in 2015 the escrowed amount will need to be increased to cover all the outstanding items which may include base and curb repairs and now a stormwater maintenance. Chair Love asked Georgia Sprenkel to copy her on the letter to the developer and Chair Love will contact Mr. White.

With no further business, the meeting was adjourned by Chair Love at 8:47 PM, continuing into an executive session on personnel matters.

Respectfully submitted by:

Trena M. Hall, Township Secretary