DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
November 26, 2012

The Dover Township Board of Supervisors regular meeting for Monday, November 26, 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. Corrected that Monica Love was also present. 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; and Dawn Slegel, Recording Secretary. There were 9 citizens and a news reporter 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 a work session was held at 6:00 PM this evening with Nathan Walker of AMEC to discuss funding options for stormwater management requirements.

An announcement was made thanking the Township Staff for their assistance in activation of the Emergency Operation Center during Hurricane Sandy. Attached is a copy of the words of appreciation for the minutes.

APPROVAL OF MEETING MINUTES FOR OCTOBER 22, 2012
The Minutes for October 22, 2012 were corrected as follows: Under the Engineer’s Report for the Wyngate Stormwater Basin Quotes, it was stated as 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 corrected) $1,3200 (the low quote should be $12,750) conditioned on obtaining the easement from Jeff Straley.

Motion by M. Husson and second by C. Richards to approve the meeting minutes for October 22, 2012 as amended. Passed with 4 ayes and 1 abstention by M. Love.

TREASURER’S REPORT
Motion by M. Menges and second by M. Love to approve the warrant total for October 26, 2012 in the amount of $399,586.05 as presented. Passed with 5 ayes.

Motion by M. Love and second by M. Husson to approve the correct total for November 12, 2012 in the amount of $263,623.82 as presented. Passed with 5 ayes.

Motion by C. Richards and second by M. Love to approve the warrant total for November 19, 2012 in the amount of $2,014,389.33. Passed with 5 ayes.
PUBLIC COMMENT PERIOD
Listed on the Agenda
Atty. Neil Slenker and Eric Sentz for Penn Waste - Proposed Amendments to the Municipal Solid Waste Ordinance - Atty. Neil Slenker of Stock & Leader and Scott Wagner, President of Penn Waste were present to address the delinquent refuse bills and amendments to the Solid Waste Ordinance to best handle citing the increasing number of delinquent accounts. Mr. Wagner presented updated information on their action of collection and total amounts and accounts over 30-60 days, 61-90 days, 91-120 days, and over 120 days. It was documented that 324 customers have never paid their refuse bill since inception which is 4% of the 7,800 customers in Dover Township. The amendments would allow Penn Waste to recover fees for pursuing in-house staff action with the District Magistrate rather than to obtain counsel which would benefit lower costs for both Penn Waste and Township residents. The other change was to add language which would track the lien process and civil action procedure.

In reviewing their proposed ordinance revisions, Atty. Rausch suggested that the interest rate on the outstanding balance for civil action be revised from the proposed rate of 10% to 6% based on the contract. Since the fee seems reasonable and the Township may make changes to their ordinances, the Township Solicitor was amenable with the ordinance amendments.

Motion by M. Love and second by M. Menges to amend the Municipal Solid Waste Ordinance with the revised amendment from the outstanding balance interest rate change of 10% to 6 % and to authorize the advertisement of this Ordinance for adoption. Passed with 5 ayes.

Not Listed on the Agenda
Hope Beck, 2560 Tower Drive, addressed concerns of raw sewage backups in their home during Hurricanes Lee and Sandy. She provided photographs to the Board from both storms.

It was recommended that back flow preventer valves be installed as the property owner’s responsibility on each drain inside the house. This work would need to be contracted with a plumber.

A suggestion was made that the Township perform the excavation to install the back flow preventer valve and also that the Township continue reducing the Inflow and Infiltration in the Tower Village area.

Shane Beck, Hope’s husband, explained an issue in the local newspaper which happened in West Manchester Township where an apartment complex had a sewer backup and the Township repaired the problem.

He was informed that the information in the newspaper was incorrect. The apartment complex was privately owned and the owner had to take care of the problem.
Meeting Minutes of 11/26/12 - Page 3.

**Board Consensus** was that prioritization be given to Tower Drive and surrounding areas to alleviate the I & I going into the public sewer system through house inspections. An Illicit Discharge Ordinance is currently in effect and will be enforced should illegal reconnections be made within the inspected homes.

Mr. Farley reported that there will also be wet weather televising being performed in this area.

Robert Rauhauser commented on updating the records for Agricultural Security Land. He lives in Jackson Township and also has land in Dover Township he would like to place in the Ag Security District.

He was informed that there is an application form that must first be completed. Then a resolution is approved by the Township with the parcel placed in the Agricultural Security District for Dover Township. The resolution is then recorded with the York County Recorder of Deeds Office.

There weren’t any further comments from the public at this time.

**ZONING OFFICER’S REPORT by Georgia Sprenkel**

Discussion on Rezoning Recommendations from the Dover Township Planning Commission - Ms. Sprenkel reported that the Planning Commission recommended when changing Parcel 148C rezoned from R3 back to Agriculture that Parcel 107C be rezoned from R3 to Agriculture and Parcel 107E be rezoned from R3 to Industrial.

**Motion** by M. Menges and second by C. Richards to add the rezoning of Parcels 107E from R3 to Industrial and 107C from R3 to Agriculture along with the other rezoning changes in the Zoning Ordinance Amendments. **Passed** with 5 ayes.

**ENGINEER’S REPORT by Terry Myers**

**Davidsburg Road/Tower Drive Intersection Improvements** - Mr. Myers updated the Board on the turning lanes required at Jayne Lane after the approval of the Ashley Farms Phase 3 Subdivision Plan in order for the developer to continue with development. Security has been posted by the developer for these traffic improvements. These improvements will also affect the Tower Drive and Davidsburg Road intersection. Utility poles and drainage structures need to be relocated. A PennDOT Permit will be required through the Township and may consist of both improvement projects on the permit. The developer of Ashley Farms could then handle the construction work. The Township would be responsible for the design and the permitting. The offset of the costs for these improvements may be shared through their exchange of services. Atty. Katherman will be preparing a draft agreement relating to this concept. After the permitting has been completed, then the construction could possibly begin sometime next year. Easements may be needed from property owners along Davidsburg Road beyond this intersection because of the required transition of the turning lanes on Davidsburg Road.

**FEMA Projects** - Mr. Myers reported that the Community Park Pedestrian Bridge has been completed. An inspection was completed by C. S. Davidson. The Building and Grounds Crew Chief has not yet inspected the bridge.
Wyngate Basin - Mr. Myers reported that Mr. Straley was emailed the standard easement agreement. His attorney returned an email with revisions to the easement agreement. Mr. Myers forwarded the revised agreement to the Township Solicitor late this afternoon for his review. The revised agreement provides Mr. Straley the opportunity to review and approve the construction. Further negotiations will continue with Mr. Straley. Loss of the FEMA grant money could possibly void the entire project.

Stormwater Work Session - Mr. Myers commented that the new MS4 Permit will include a Chesapeake Bay Pollution Reduction Plan narrative for this five year period. The renewal of the 2018 MS4 Permit will likely require TMDL limits. Therefore, generating financial funding needs to be seriously considered and developed now in order to acquire additional funds for future facility upgrades and structural improvements which will be implemented to reach those limits and justify the reduction of stormwater discharges.

A promotion for the upcoming educational program at Brookside Park in April was announced which will demonstrate the planting of a rain garden. Stream Clean-Up Events were encouraged for local organizations and neighborhoods along streams in which the Township crew will collect the bagged trash. These are some ways that the public can become more involved.

SOLICITOR’S REPORT by Atty. Rausch

Ordinance 2012-06 Amending Chapter 16 “Parks and Recreation” of the Dover Township Code of Ordinances - Atty. Rausch reported that the penalty provision is being amended for a fine/violation not to exceed $1,000 and the District Magistrate to set the penalty based on the violation in Chapter 16 “Parks and Recreation” of the Dover Township Code of Ordinances.

Motion by M. Love and second by M. Menges to adopt Ordinance 2012-06 amending Chapter 16 “Parks and Recreation” of the Dover Township Code of Ordinances. Passed with 5 ayes.

Approval of Term Sheet and Enhancement for the Memorandum of Agreement for AT & T - Atty. Rausch reported that the lease for the water tower at Locust Road and Tower Drive is being negotiated. This term sheet was generated from the negotiations with AT & T. The other enhancements were not accepted by the Township due to the fact that it is a water tower and not a standard cell tower. The new lease includes a rent reduction from $14,400.00 to $12,558.00, a 5% escalator clause annually, and a rent guarantee for three years.

Motion by M. Menges and second by M. Love to accept the AT & T Lease Optimization Term Sheet with the enhancements as recommended by the Township Solicitor. Passed with 4 ayes and 1 nay with opposition by M. Husson.

Board Consensus was to authorize the Township Manager initial and sign as specified on the term sheet.
MANAGER’S REPORT by Laurel Oswalt

Resolution 2012-20 Adoption of 2013 Budget - Motion by M. Husson and second by C. Richards to approve Resolution 2012-20 adoption of 2013 Budget. Passed with 5 ayes.

Resolution 2012-21 Tax Levy Resolution for 2013 - Manager Oswalt reported that the real estate tax will not be increasing for 2013.

Motion by C. Richards and second by M. Menges to approve Resolution 2012-21 the tax levy resolution for 2013. Passed with 5 ayes.

Resolution 2012-22 Establishing and Fixing Tax Levies, Other Than Real Estate for 2013 - Manager Oswalt explained that this resolution includes the real estate transfer tax, per capita tax, earned income tax, amusement device tax, mercantile license tax, the local services tax for 2013 which have remained the same amounts as 2012.

Motion by M. Menges and second by M. Love to approve Resolution 2012-22 establishing and fixing the tax levies, other than real estate for 2013. Passed with 5 ayes.

Resolution 2013-23 Municipal Emergency Operations Plan for Dover Township - Manager Oswalt reported that the Municipal Emergency Operations Plan must be adopted by resolution authorizing the Municipal Emergency Operations Plan for Dover Township. The Plan needs to be reviewed biannually. The Plan has been reviewed and updated by the Municipal Emergency Coordinator, Charles Delauter, and has been recommended to be forwarded to the York County Office of Emergency Management with approval from the Dover Township Board of Supervisors.

Motion by C. Richards and second by M. Husson to approve Resolution 2013-23 the Municipal Emergency Operations Plan for Dover Township. Passed with 5 ayes.

Resolution 2013-24 Plan Revision for New Land Developments of the Samuel C. Crider Subdivision - Ms. Sprenkel explained that several years ago subdivision occurred by Samuel Crider with a planning module for a non-building waiver. Now a new owner is purchasing the property and intends to construct a home on this property and the planning module needs to be revised accordingly.

Motion by M. Love and second by M. Menges to approve Resolution 2013-24 plan revision for new land developments of the Samuel C. Crider Subdivision and authorize the Township Secretary to sign the associated documentation. Passed with 5 ayes.

Manager Oswalt requested a brief executive session after this meeting on a personnel matter.
PUBLIC WORKS DIRECTOR’S REPORT by Charles Farley
Authorization for Chair to Sign the Proposal of the Temporary Flow Meter Installation and Service Contract from Buchart Horn, Inc. - Mr. Farley informed the Board that two flow meters are to be temporarily installed on the interceptors by the treatment plant, two on the Palomino Interceptor, and one at the beginning of the Fox Run Interceptor. Buchart Horn will be able to develop the mapping and a capacity analysis.

Motion by M. Love and second by M. Husson to authorize the Chairperson to sign the proposal of the Temporary Flow Meter Installation and Service Contract from Buchart Horn, Inc. Passed with 5 ayes.

OLD BUSINESS
There wasn’t any old business at this time.

COMMENTS/NEW BUSINESS FROM THE BOARD OF SUPERVISORS
Supervisor Richards commented that the Stormwater Management Educational Program with West Manchester Township was very informative. The speakers did an excellent job. He also stated that the pedestrian bridge looks great.

Supervisor Love expanded on the subject that these educational programs held on November 15th. They will continue in April and November of 2013. The April 2013 program will be held in Dover Township. Gary Peacock of the Watershed Alliance of York will give a rain garden presentation at the April program. John Dagan, a master gardener, will also speak on composting. She is hoping that more municipalities will become involved. She also thanked Terry Myers for his presence and Laurel Oswalt for providing the cookies.

Supervisor Menges acknowledged Northern York Regional Police who will be honored in two National police magazines for their work in police consolidation.

Chair Shermeyer requested that the Buildings and Grounds Crew Chief take a look at the west side sidewalk entrance of the Community Building at the Tax Collector’s Office for a way to make the sidewalk a ramp which would be more handicap accessible for the elderly.

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

With no further business, the meeting was adjourned at 9:07 PM by Chair Shermeyer into an Executive Session regarding a personnel matter.

Respectfully submitted by: _____________________________________
Dawn D. Slegel, Township Secretary