

**DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
DECEMBER 8, 2014**

The Dover Township Board of Supervisors regular meeting for December 8, 2014, was called to order at 7:00 PM by Vice Chair Matthew Menges in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Matthew Menges, Charles Richards, Stephen Parthree, and Stephen Stefanowicz. *Chair Monica Love was absent with prior notice.* Other Township Representatives in attendance were Laurel Oswalt, Township Manager; Attorney Charles Rausch, Township Solicitor; Terry Myers, Township Engineer; Charles Farley, Township Public Works Director; Georgia Sprenkel, Township Zoning Officer; and Trena Hall, Recording Secretary. There were 2 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 MEETING MINUTES FOR NOVEMBER 24, 2014

M. Menges questioned the \$1.3 million estimate for the north of the Borough Sewer Project. The Engineer's Report noted that the project is estimated at \$1.7 million. Mr. Myers noted that the additional sewer along Main Street increased the estimate.

Motion by S. Parthree and seconded by S. Stefanowicz to approve the meeting minutes for November 24, 2015, as presented. **Passed** with 4 ayes

TREASURER'S REPORT

S. Stefanowicz questioned the Department of Labor bill for the Fire 2015 WC-Down payment. Manager Oswalt explained that this is for the fire department's worker's compensation.

Motion by C. Richards and seconded by S. Parthree to approve the warrant total for November 8, 2014, in the amount of \$335,282.76, as presented. **Passed** with 4 ayes

PUBLIC COMMENT

No comments

ZONING REPORT by Georgia Sprenkel

Authorize Township Secretary to Sign the Sewage Facility Planning Module for 2590 Sky Top Trail Owned by Barbara Greer – This lot was created in 1998 as a non-building lot. There is now a different owner and they would like to build on this property. This module

notifies DEP that the Township is aware of this project and that there will be on-lot sewage on this property.

Motion by S. Stefanowicz and seconded by S. Parthree to authorize the Township Secretary to sign the Sewage Facility Planning Module for 2590 Sky Top Trail owned by Barbara Greer, as presented. **Passed** with 4 ayes

PL 14-2 Brookside Motors Expansion Land Development Plan – Bob Sandmeyer, with Site design concepts, was present to discuss the Final Land Development Plan for Brookside Motors. This property is located on Carlisle Road in the Commercial Zoning District with about 11 acres of land. Improvements on the property are restricted by many easements, wetlands, floodplains, 2 main gas lines, and water and sewer lines. Currently there is on-site septic and public water. The on-site septic will be abandoned and the business will connect to public sewer. This project will involve the demolishing of one building, the construction of a new building, and the expansion of the display parking area adding a few employee parking spaces and body shop parking. Stormwater Management will be needed to meet Township codes and for DEP.

The developer has provided more information to the engineer and is only asking for conditional approval on a few of the open items that were listed in the packet.

There still is a question on the type of sewer connection. The developer proposed to use a saddle connection which Chris Hamme, from the Township Sewer Department, has agreed upon. The restricts on the improvements from Columbia Gas, will need to be worked out between the property owner and the gas company. The Township is only involved for Township requirements. Currently there are 2 high pressure lines running through the property. Originally there was a 20' easement which slowly kept widening with more restriction over time. The past and current property owner had no acknowledgement of this now 50' to 70' Right of Way and there is no documentation for these restrictions.

C. Richards questioned the screening on the SALDO waiver requests. There will be screening on the eastern property line along the creek but unfortunately no plantings go high enough for screening on the back side of the property. There will be significant landscaping over the grade changes but no landscaping over the utility lines.

Motion by C. Richards and seconded by S. Stefanowicz to approve the SALDO Waiver Requests for PL 14-2 Brookside Motors Expansion Final Land Development Plan as follows: 1. Approval of the Environmental Impact Assessment Report should be obtained from the Township Engineer (§ 502.5). The report shall be prepared by an independent, qualified consultant that is not involved with the design of the proposed improvements unless a specific waiver for this requirement is obtained from the Board of Supervisors (§720.3); 2. Street trees shall be planted for any subdivision or land development where suitable street trees do not exist unless a specific waiver for this requirement is obtained by the Board of Supervisors (§1103.5); 3. Screening shall be required between commercial and residential zones (§1103.11.B); 4. No

parking lot shall be located closer to a building than 6 feet to allow adequate room for landscaping (§1103.12.B) and 5. A minimum of 10% of parking facilities over 2,000 square feet shall be devoted to landscaping, including 1 tree per 20 parking spaces (§1103.12.D), as presented. **Passed** with 4 ayes

C. Richards question what the depth of water will be in the retention pond during a storm. Mr. Sandmeyer noted that during a 100 year storm and dewatering within 36 hours the water could reach around 3'. C. Richards was concerned with the children from the development coming in from the back of the property. The pond slopes are not as steep and dewater faster today. Currently fencing has not been proposed but the Board can advise the developer to fence in the retention pond if there are safety concerns.

Motion by S. Parthree and seconded by S. Stefanowicz to approve the Stormwater Ordinance Waiver Requests for PL 14-2 Brookside Motors Expansion Final Land Development Plan as follows: 1. Above-ground Stormwater management detention/retention facilities that are designed to store at least a 2-foot depth of runoff shall be fenced (§308.3.7) and 2. All Stormwater management facilities are considered structures and must comply with building setback requirements (§301.11), as presented. **Passed** with 4 ayes

Other waivers of concern are security, which is normally presented when plans are being approved, and a lighting plan. M. Menges was concerned with the lighting not shining on local businesses or homes. The display areas will all be along Carlisle Road and there will be minimal lighting on the back of the property, for security purposes only. Lighting will be faced in on the property and with shields. Currently there are no problems with the lighting and plantings will help to shade it.

Attorney Rausch does not believe the Township will ever receive documentation from Met-Ed and Columbia Gas. He suggested applying a note to the approved plan advising that it is the owner's responsibility to obtain the necessary approvals outside of the Township to do construction within easements.

Motion by C. Richards and seconded by S. Parthree to approve PL 14-2 Brookside Motors Expansion Final Land Development plan 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. Public improvement security shall be provided prior to final plan approval (§602.1) 3. A lighting plan should be submitted to confirm that all site illumination is in accordance with Chapter 27; and 4. Documentation that the Owner has been granted approval to place improvements within utility easements owned by Met-Ed and Columbia Gas should be provided to the Township (§602.9) and a note will be added to the approval of this plan noting that it is the owner's responsibility to obtain the necessary approvals outside of the Township, as presented. **Passed** with 4 ayes

Georgia Sprenkel reminded the Board that the Zoning Ordinance still needed to be revised and passed. M. Menges questioned shooting ranges. A resident can target shoot in a back yard if they can do so safely. This ordinance is geared more towards businesses and sportsmen clubs that want to have public ranges.

Attorney Rausch reminded the Board that this ordinance will need to be sent to the York County Planning Commission, with a 45 day review period and needing a public hearing. Attorney Rausch recommended sending a copy to York County Planning and see what comments they have. The Board does not have to make the recommended changes. Manager Oswalt noted that if the Board would want to make any changes after this has gone to the York County Planning Commission the process would need to start over from the beginning. Terry noted that Eric Harlacher from the Planning Commission created a chart, at one point, listing all of the uses and zones that have special exceptions. Terry will get this for the Board.

Board Consensus was to send the Zoning Ordinance to the York County Planning Commission. The Board will review the ordinance for discussion at the last Board meeting in January 26, 2015.

ENGINEER'S REPORT by Terry Myers

Change Order No. 2 for Pine Road Water Project – This is calculated by what quantity was estimated and what was actually used. This project required more stone backfill and more restoration from the trenches, costing around \$11,000 more than what was anticipated. The additional 60' of 8" main from change order No. 1 was needed, costing around \$6,700.

Motion by S. Stefanowicz and seconded by S. Parthree to approve Change Order No. 2 dated December 5, 2014 in the amount of \$18,000.54 to Doli Construction Corporation, as presented. **Passed** with 4 ayes

Application for Payment No. 3 – This includes the change order items that have just been approved. Total contract price with the change orders comes out to \$600,240.54. They have previously been paid \$550,758.26. Application for proof of payment will be \$49,482.28, for contract items only.

Motion by S. Parthree and seconded by C. Richards to approve Payment No. 3 to pay Doli Construction Corporation \$49,482.28, for contract items only, additional claims are not included in this amount, as presented. **Passed** with 4 ayes

Claims for Additional Work – Doli Construction Corporation is requesting an additional amount of \$21,286.48 for all the previous claims and additional claims of hitting rock while crossing under the water and sewer lines, the certified compaction inspections that were required from PENNDOT (after the bidding was submitted), and time that was lost looking for mismarked service lines. Terry Myers agreed on the loss of construction time, but modified the

amount of searching for mismarked lines because they included traffic controlling that was not used. Mr. Myers noted that the contractor could have claimed more items. The Township loaned out a tapping machine and did testing samples amounting to about \$3,000 of the additional claims. Subtracting out the machine use, samples and traffic control the total is \$17,685.05. Even with additional claims and extra work, the Township is still under any of the other bidders.

Motion by S. Parthree and seconded by S. Stefanowicz to approve Doli Construction Corporation for \$17,685.05 for additional claims on the Pine Road Water Line Project, as presented.

Comments on the motion:

Attorney Rausch was concerned if Doli Construction Corporation would accept this amount. Terry Myers noted that he notified them on Friday, December 5 of the reduction on traffic control and they were satisfied.

The motion was amended by S. Parthree and seconded by S. Stefanowicz to approve Doli Construction Corporation for \$17,685.05 for additional claims on the Pine Road Water Line Project, conditioned upon Doli Construction Corporation accepting this \$17,685.05 as the final settlement for the claims, as presented. **Passed** with 4 ayes

SOLICITOR'S REPORT by Attorney Charles Rausch

Discussion Regarding the Stream Lining of the Sewer Access Rights Program – This program deals with the EDU's that have been bought and are available for use. The current rights were established back in 1996 when the Sewer Plant was at capacity and there was a market for EDU's. This program put a stop to the purchasing of these EDU's. This program is outdated and needs to be reviewed and updated for staff to keep track of the EDU's. When a development is approved the Township assures that there is enough allocated sewer for the development. The ordinance notes that after 5 years if there has not been any development and the EDU's have not been used the Township has the rights to begin charging 25% of the user rate and keep increasing for the undeveloped lots. The Township has never imposed this and would like to see this removed.

Board Consensus was to allow the update of the Sewer Access Rights Program to follow the rules that the Township is currently carrying out.

Verizon Water Tower – Verizon will not be asking another user to pay for half of the coral if Shentel would not follow through. The lease should be in front of the Board sometime in January of 2015.

Chesapeake Bay Pollution Reduction Plan Group Effort – DEP did not meet the November 15, 2014 deadline to approve the programs required by the Intergovernmental Agreement. Therefore, it is likely we will need to pass a new agreement to participate in this group effort.

MANAGER’S REPORT by Manager Laurel Oswalt

No business to report.

Announced an executive session on personnel will be needed.

PUBLIC WORKS DIRECTOR’S REPORT by Charles Farley

No business to report.

M. Menges questioned the last 25 MPH speed limit sign on E. Canal Road. He thought that the sign should be a 40 MPH sign. He questioned why PENNDOT needed to be contacted. The Township is responsible for the 25 MPH and PENNDOT is responsible for the 40 MPH. Charles Farley will contact PENNDOT.

OLD BUSINESS

No comments

COMMENTS/NEW BUSINESS FROM THE BOARD OF SUPERVISORS

S. Stefanowicz noted that he had been questioned about the situation of Washington Township residents attempting to remove themselves from the Dover School District. The Board noted that this is a School Boards issue and not the Township.

S. Parthree noted to add union contract matters to the executive session.

COMMENTS FROM PUBLIC PRESENT

No public present for public comment.

With no further business, the meeting was adjourned by Vice Chair Menges at 8:34 PM, continuing into an executive session on personnel matters and the union contract.

Respectfully submitted by:

Trena M. Hall, Township Secretary