

**DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
December 13, 2010**

The Dover Township Board of Supervisors regular meeting for Monday, December 13, 2010 was called to order at 7:00 PM by Chairman Curtis Kann in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Chair Curtis Kann, Madelyn Shermeyer, Michael Husson, Duane Hull, and Monica Love. Other Township Representatives in attendance were Laurel Wilson, Township Manager; Atty. Charles Rausch, Township Solicitor; Terry Myers, Township Engineer; Karen Wilson, C. S. Davidson, Inc.; Charles Farley, Public Works Director; and Dawn Slegel, Recording Secretary. There were 6 citizens and a news reporter seated in the audience. This meeting has been recorded for minute purposes only.

Chair Kann announced that a work session was held at 6:00 PM displaying some preliminary designs for the reconstruction of the Carousel Building at Brookside Park. He wished everyone a Merry Christmas and a Prosperous New Year.

Chair Kann requested a moment of silence and remembrance for all those who stand in harm's way followed by the reciting of the Pledge of Allegiance.

APPROVAL OF MEETING MINUTES FOR NOVEMBER 22, 2010

Motion by M. Shermeyer and second by M. Husson to approve the Meeting Minutes for November 22, 2010 as presented. **Passed** with 5 ayes.

TREASURER'S REPORT

Chair Kann reported that the warrant total for December 13, 2010 was in the amount of \$406,670.23.

Supervisor Hull questioned the late fees and finance charges for the BJ's credit card.

Manager Wilson explained that the payment may not coincide with the bill due date. They will not waive the fees.

Chair Kann requested that other credit cards be checked into.

Supervisor Hull questioned the cost for the delivery of the newspaper at the wastewater treatment plant.

Supervisor Husson recommended that the check be held for more information.

Supervisor Love noted that the municipality should get their newspaper delivered for free, but the wastewater treatment plant may not.

Chair Kann requested that the Manager check on this invoice.

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Motion by D. Hull and second by M. Husson to approve the warrant for December 22, 2010 with the exception of the payment to York Newspaper Co. in the amount of \$199.40. **Passed** with 5 ayes.

PUBLIC COMMENT PERIOD

There were no comments from the public present at this time.

ENGINEER'S REPORT by Terry Myers

Hilton Avenue Water Line Project - Mr. Myers reported that construction on the project is almost complete. There are approximately six water service connections and two tie-ins to do. Temporary street restoration need to be completed on Virginia Avenue west of Brookside Avenue. Lawns will be repaired in the Spring.

Approval of Application for Payment No. 7 to E. K. Service, Inc. in the Amount of \$133,269.28 - Mr. Myers reported that the total value of the work and material to date is \$1,488,762.83 less amounts previously paid of \$1,287,691.30 with a 5% retainage leaves a net amount approved for payment of \$133,269.28.

Motion by D. Hull and second by M. Love to approve Application for Payment No. 7 to E. K. Service, Inc. in the amount of \$133,269.28. **Passed** with 5 ayes.

Mr. Myers noted that by next month he should have a projection of the total cost under the original contract amount. He suggested that saved restoration costs on streets may be used for a leveling course for Poplars Road.

George Street Culvert Grant - Mr. Myers reported that two permits are required by DEP to replace the culverts at the two stream crossings on George Street. If the grant is awarded to Dover Township from the York County Planning Commission, then he would like to begin the permit applications. He requested that the Board authorize proceeding with the George Street Culvert Replacements contingent on receipt of the Community Block Grant award from the York County Planning Commission.

Motion by M. Love and second by M. Shermeyer to authorize the Township Engineer to proceed with the George Street Culvert permit applications to DEP contingent on receipt of the Community Block Grant award from the York County Planning Commission. **Passed** with 5 ayes.

Question for the Township Engineer - Supervisor Husson inquired about the acquisition of a right-of-way easement for the extension of Palomino Road.

Manager Wilson reported that YAMPO has rated this project as number five out of the twelve projects. She believes that only the top three projects may get funded. However, PennDOT makes the ultimate decision and could reprioritize the projects. No word has been received from PennDOT at this point. The necessary right-of-ways will not be pursued at this time.

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SOLICITOR'S REPORT by Atty. Charles Rausch

Hadley Drive Property - Atty. Rausch reported that he notified Tobin Johnston that the Board had approved the transition of the Hadley Drive property. Mr. Johnston has not yet executed the deed.

Zoning Map Revision Requests - Atty. Rausch reported that the Dover Township Planning Commission decided to move forward with the Zoning Ordinance Revisions although two property owners attended their meeting requesting zoning map revisions. He inquired whether the Board wanted to include these map revisions before submitting all the Zoning Ordinance Revisions to the York County Planning Commission for their review. The zoning map changes consisted of property zoned Conservation near Circle Drive and Rohlers Church Road which was recommended to be changed to Agriculture. The second change was along the southern end of Carlisle Road across from Grandview Golf Course up to Turkey Hill Minute Market zoned Residential which was recommended to be changed to Commercial. The attached maps denote the changes.

Motion by M. Husson and second by D. Hull to have JMT Consultants make the recommended Zoning Map revisions. **Passed** with 5 ayes.

MANAGER'S REPORT by Laurel A. Wilson

Ordinance 2010-06 Cable Franchise Agreement with Comcast of Southeast Pennsylvania, LLC - **Motion** by M. Shermeyer and second by D. Hull to adopt Ordinance 2010-06 the Cable Franchise Agreement with Comcast of Southeast Pennsylvania, LLC. **Passed** with 5 ayes.

Appointment of Katrina Delauter to Fill Vacancy on Board of Auditors - **Motion** by M. Shermeyer and second by M. Love to appoint Katrina Delauter to fill the vacancy on the Board of Auditors. **QUESTION** - Supervisor Husson questioned her qualifications.

Supervisor Shermeyer noted that she served as the Treasurer for the Dover Township Volunteer Fire Department.

Manager Wilson reminded the Board that the previous auditor resigned because he moved out of the Township. She would only be filling in for one meeting in January and then someone will have to run for that position to fill the vacancy.

Passed with 5 ayes.

Authorization to Advertise Traffic Ordinance - **Motion** by M. Husson and second by M. Shermeyer to authorize the advertisement of the traffic ordinance amendment. **Passed** with 5 ayes.

Authorization to Execute on Letter of Credit for Seasons SARP Agreement - Manager Wilson reported that the SARP Agreement renewed after one year for the Seasons, but it is now coming due. There is an outstanding amount of \$82,000 due. She requested permission to contact the bank to obtain the money.

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Motion by D. Hull and second by M. Shermeyer to authorize the Township Manager to execute on the Letter of Credit for the Seasons SARP Agreement. **Passed** with 5 ayes.

Temporary Access Easement Agreement for 2631 Rock Creek Drive - Manager Wilson reported that the property owners at 2631 Rock Creek Drive contacted the Township because they wanted to perform work in the rear of their property which abuts the Tower Village Recreation Land. They asked if they could access their property by crossing the recreation land because due to property line issues. Manager Wilson informed them that they needed a temporary easement agreement in case of damage. A longer access was requested due to the topography of the recreation land.

Motion by M. Shermeyer and second by M. Love to approve the temporary access easement agreement for 2631 Rock Creek Drive. **Passed** with 5 ayes.

Approval of the Double Dog Communications, Inc. Service Agreement in the amount of \$41,990 - Manager Wilson reported that this is the agreement for the communication equipment sending a signal for the SCADA System back to the Township's computer.

Motion by M. Shermeyer and second by D. Hull to approve the Double Dog Communications, Inc. Service Agreement in the amount of \$41,990. **Passed** with 5 ayes.

Approval of Double Dog Communications Lease Agreement - Manager Wilson reported that this agreement will allow Double Dog to utilize the equipment that is on the Township's tower for communication of their internet service.

Motion by M. Shermeyer and second by D. Hull to approve the Double Dog Communications Lease Agreement. **Passed** with 5 ayes.

Discussion Regarding Dover Township Residential Sprinkler Systems Installation - Manager Wilson reported that a new law will go into effect in January requiring single family homes to have sprinkler systems. The Township currently shuts off the water for non-payment of delinquent water bills. The Township Solicitor had some concerns about the liability. The Board has been provided with several options.

Atty. Rausch advised that some of the water service providers are using a limited liability waiver form. He has reservations about when it should be signed and its effectiveness, specifically for minors and house guests.

Supervisor Love questioned when the water is shut off whether the occupants are immediately told to leave because the house is inhabitable. This letter would serve the Township's limit of liability.

Atty. Rausch responded that it would take care of personal liability, but not for contents.

Mr. Farley distributed a document on the various options to handle the water shut-off situation.

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Supervisor Shermeyer agreed that filing a lien on the property is not a viable option. It may be years until the actual money is received.

Discussion was held on the Township's procedure for dealing with the water shut-off notification.

Atty. Rausch advised that changes may need to be made to the Township's ordinances and procedures.

Mr. Farley explained that the Water Department has elected to use a 1" service line, 3/4" meter, and one curb stop. This will be positioned prior to where the sprinkler system branches off the domestic line. This application will allow for the installation of multi-purpose sprinkler systems. If the water needs to be turned off for a delinquent account or to repair a leak, all water will be turned off. Residents or builders may opt to install additional valves, but they would not be Dover Township's responsibility to operate.

Manager Wilson stated that Dover Township will proceed with the option recommended by the Water Department, but she wanted the Board to be aware of the pertinent issues.

Biosolids Bid Award - Manager Wilson reported that the Dover Township Wastewater Treatment Plant held a bid opening today for biosolids. Three bids were received. Synagro Central, LLC was the low bidder and are also the current company for disposing of the biosolids. The unit price per wet ton is \$40.60 and the total estimated annual cost is \$142,100. The bid tabulation is attached per minutes purposes. She requested approval on the bid contingent on the review by the Sewer Authority Engineer and the Township Solicitor.

Motion by M. Husson and second by M. Love to award the bid to Synagro Central, LLC for a unit price per wet ton of \$40.60 contingent on review by the Sewer Authority Engineer and the Township Solicitor. **Passed** with 4 ayes and 1 nay with opposition by M. Shermeyer.

Chair Kann questioned the amount of increase for the biosolids disposal compared to last year.

Manager Wilson replied that it is the same price as last year.

Supervisor Hull asked why Supervisor Shermeyer voted nay.

Supervisor Shermeyer stated that she is against the application of sludge and will stand up for her right to vote nay against this topic.

Supervisor Hull inquired whether the Township can prohibit sludge from being spread.

Atty. Rausch responded negatively.

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Thirty Day Extension Letter of Union Contract - Manager Wilson reported that the union contract has not yet been settled so she has a thirty day extension letter for the Board's authorization for the Township Manager to sign.

Motion by M. Shermeyer and second by M. Love to authorize the Township Manager to sign a thirty day extension on the Union Contract. **Passed** with 4 ayes and 1 abstention by D. Hull.

Floodplain Ordinance Update - Manager Wilson questioned the Board on whether to proceed with making the changes to the floodplain ordinance or wait for FEMA notification. She noted that the Township was informed that the ordinance does not meet the guidelines, but they were not provided with a list of the discrepancies.

Mr. Myers reported that Ben Baltzer may have a good idea of what might be wrong with the ordinance.

Manager Wilson explained that she will have to spend more time reviewing the document to understand exactly what is wrong.

Board Consensus was to wait for FEMA to provide the discrepancies with the floodplain ordinance from Dover Township.

Board Vacancies - Manager Wilson reported there is a vacancy on the Planning Commission in an alternate position; a vacancy as an alternate on the Zoning Hearing Board; and a vacancy as a licensed plumber member of the Codes Enforcement Board. She will be scheduling three interviews for a 6:00 PM work session on January 10, 2011 to fill these positions.

Executive Session - Manager Wilson requested an executive session on personnel matters and land acquisition.

OLD BUSINESS

Draft Well Ordinance Amendments with Brad Hengst - There was nothing additional to report at this time.

COMMENTS/NEW BUSINESS FROM THE BOARD OF SUPERVISORS

Supervisor Hull wished everyone a Merry Christmas and a Happy New Year.

Supervisor Husson recommended that the Board move forward with approving a resolution for a liquor license referendum added to the ballot for the May primary. He requested that the Board direct the Township Manager to generate the resolution for the January meeting.

Motion by M. Husson and second by D. Hull to have the Township Manager generate a resolution for the liquor license referendum. **Passed** with 4 ayes and 1 nay with opposition by M. Shermeyer.

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Supervisor Husson announced that the Dover Area Ambulance Club will be receiving a grant for a barometric unit for the ambulance. It is a winch unit and ramp for the ambulance system to assist in loading litter-bound overweight patients into the ambulance. He also reported that the Dover Area Ambulance Club received a \$3,600 grant from the EHSF State Federation Fund funded by yearly fines. They will utilize the grant to purchase high visibility coats for the ambulance personnel to wear in order to meet the Federal law in assisting with highway accidents.

Chair Kann inquired on the time restriction for the signing of the water service connection waivers.

Manager Wilson replied that the Virginia Avenue residents not connected have just received their notices. All property owners in violation will be pursued at the same time.

Chair Kann reported that he received a letter from City of Pittsburgh to support the adoption of an ordinance to band corporate drilling. No drilling will take place in this area, but there may be a pipeline through this area.

Atty. Rausch advised that the Attorney General has already notified them if they don't rescind, a suit will be filed on that ordinance. It is illegal.

Bernard Anthony commented that he is a demolition contractor. He questioned whether the Carousel Building demolition will be placed out for bids.

Manager Wilson answered that the Township crews will be demolishing the Carousel Building.

Chair Kann adjourned the meeting at 8:15 PM into an Executive Session regarding personnel matters and possible acquisition of real estate.

Respectfully submitted by:

Dawn D. Slegel, Township Secretary