

**DOVER TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
WORK SESSION  
JUNE 23, 2014**

The Dover Township Board of Supervisors work session meeting for June 23, 2014, was called to order at 6:00 PM by Chair Monica Love in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Monica Love, Matthew Menges, Charles Richard, Stephen Parthree, and Stephen Stefanowicz. Other Township Representatives in attendance were *Dawn Strausbaugh, Township Administrative Assistant sitting in for Manager Laurel Oswald*; Attorney Charles Rausch, Township Solicitor; Georgia Sprenkel, Township Zoning Officer; Charles Farley, Township Public Works Director; Glenn Jansen, Township Fire Chief; Brian Widmayer, Township Deputy Chief; and Trena Hall, Recording Secretary. There was one citizen in the audience. This meeting has been recorded for minute purposes only.

The purpose of this work session was to discuss fireworks permits and the turning lane project for Tower Drive, Jayne Lane and Davidsburg Road.

**FIREWORKS PERMITS**

Glenn Jansen was present to discuss the possibility of no longer issuing fireworks permits. This would help remove all liability from the Township if there would be an accident. Attorney Rausch noted that an ordinance would be needed.

Several years ago the state legalized fireworks. There are a few residents who wish to purchase display fireworks and a permit is needed from the Township to purchase these larger fireworks. An ordinance could state that if a permit was not issued to purchase the merchandise a fine can be issued. Also state that only a Code Official or a police officer can seize a display; this would not be asking a citizen to seize displays. The ordinance can also state that a licensed fireworks display staff would not need a permit to purchase but would need a permit to display them. One Supervisor suggested only accepting applications allowing a professional staff to display fireworks with the set dollar amount in liability insurance. Novelty fireworks sold at roadside stands would still be legal. With these defined definitions the Township would not be affected for future sponsored firework displays.

Within the last 5 to 6 years Mr. Jansen has issued maybe 5 permits which in return he receives phone calls from people complaining the next day. There was an accident a few years ago and Mr. Jansen does not recall issuing a permit for that address. Mr. Jansen only holds onto the permit for up to one year. There has been no structure fires caused from fireworks.

Glenn Jansen was in favor of no longer issuing firework permits. He thought that the example ordinance from West Manchester was a good model.

Attorney Rausch was not sure if a blanket prohibition can be issued.

**Board Consensus** was to have Glenn Jansen compose a draft ordinance and submit it to Attorney Rausch to then bring to the Board.

Chair Love brought attention to the maintenance issues at the Community Building. There is a major roof leak in the Community Room, some faucets that are leaking throughout the building, and one bay door at the firehouse is not working. M. Menges suggested setting up a time to visit the building. Chief Jansen noted that there is an open house this week from 8AM to 4PM and next week from 5PM to 10PM. Board members are welcome to stop by anytime.

C.S. Davidson was authorized to work on a Master Plan for the facility.

Madelyn Shermeyer confirmed that there is a bad water leak from the ceiling in the Community Room.

The rubber and corrugated roof has not been replaced since the building was constructed in 1991. The roof has been patched. A new roof would cost around \$100,000.

### **ASHLEY FARM TURNING LANE PROJECT**

According to completed traffic studies in the 90's and confirmed by a note on the preliminary subdivision plan, the developer is required to install a left-hand turning lane from Davidsburg Road onto Jayne Lane during Phase III of the final plans. A 2013 update of the original traffic study by TRG, indicates that based on PENNDOT's criteria, left turn lanes on Davidsburg Road are warranted for both Jayne Lane and Tower Drive. The Township is also interested in doing some improvements to the Davidsburg Road/Tower Drive intersection while the developer is installing their required turning lane.

In 2013, C.S. Davidson, Solicitor Rausch, and Township staff met with the Developer's Engineer and Attorney, from which a Preliminary Agreement to share construction costs and engineering was developed. The Township's portion of the project is to install a pedestrian crosswalk extending across Davidsburg Road with curbing, improve the storm system, make the intersection more accessible by widening the radii, relocate a pole, and obtain an easement from the Latchaw property. In the original discussions, the developer would be paying for the widening of Davidsburg Road and the turning lanes. The initial cost estimate and allocation breakdown showed a 90% Developer and 10% Township responsibility based on the required construction.

At a recent meeting with the Developer's Attorney, it was discovered that they did not agree with the original cost breakdown of the project and believed that the split should be closer to 50/50. The Township's position is that a majority of the proposed work is required in order to install the turning lane onto Jayne Lane, required by the Preliminary Subdivision Plan. C.S. Davidson considered this as a joint project which would be an advantage for both parties. Only one permit would be needed for the project. The developer could utilize their contractor to do the majority of the work and the Township could help offset the work and complete work outside of prevailing wages. The developer now indicated that they do not agree with the originally proposed split of 90% Developer / 10% Township. They also indicated that at the proposed 90% / 10% split there is no advantage to them participating in a joint permitting and construction project and would possibly pursue the design, construction and permitting independently. If there is no compromise met, the Township can hold off the improvements. Timing of the Tower Drive improvements is not critical for the Township and can be done at a later date.

Independently, the developer will need to pursue right of way acquisitions and relocate about 5 poles to complete the road widening.

M. Menges questioned if there is a time limit for the developer to complete the work. The note on the Preliminary Subdivision Plan indicates that the turning lane needs to be installed “with” Phase III of the development. The developer has submitted security with their Phase III Plan to guarantee the construction of the required turning lane. Attorney Rausch would have to look back at the preliminary approval for Phase III to determine what the time limit would be. Currently the developer is about 60% complete with house construction.

Attorney Rausch noted that the Township would not be able to complete any work before the developer. He also did not know if PENNDOT would accept a permit with just the one turning lane since they are aware of the two turning lanes meeting the warrants. He noted that the Township should still stay involved in the project for the relocation of poles for the Township’s future projects. He also noted that the developer may need the Township’s assistance if they cannot acquire right of way. They would then need the Township for eminent domain.

Terry Myers reviewed a new cost allocation spreadsheet based on the Township being responsible for all the storm sewer work, pedestrian safety and all the improvements to the Tower Drive intersection. The Township would also be responsible for some of the pole relocations and right of way acquisitions costs. This new breakdown ends up with a 75% Developer / 25% Township cost allocation.

**Board Consensus** agreed to send Terry Myers back to the developer with a counter proposal. They agreed that there is still a benefit to both parties to jointly design and permit as one project. The Township will agree to pay for the work that is clearly theirs and the developer will complete all the work that is required for the widening of the turning lane. The Township will agree to pay for the extra transition area, if proven on paper, and the original storm sewer that is on the Township’s side. The Supervisors basically agree with the cost allocation presented which results in about a 75% Developer / 25% Township split.

The work session was adjourned at 6:54 PM.

Respectfully submitted by:

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Trena M. Hall, Township Secretary