

**DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
April 11, 2011**

The Dover Township Board of Supervisors regular meeting for Monday, April 11, 2011 was called to order at 7:03 PM by Chairwoman Shermeyer in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Chair Madelyn Shermeyer, Monica Love, Michael Husson, Duane Hull, and Curtis Kann. Other Township Representatives in attendance were Laurel Wilson, Township Manager; Atty. Charles Rausch, Township Solicitor; Terry Myers, Township Engineer; Charles Farley, Public Works Director; and Dawn Slegel, Recording Secretary There were 10 citizens seated in the audience. This meeting has been recorded for minute purposes only.

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

APPROVAL OF MEETING MINUTES FOR MARCH 28, 2011

Motion by M. Husson and second by M. Love to approve the meeting minutes for March 28, 2011 as presented. **Passed** with 5 ayes.

TREASURER'S REPORT

Chair Shermeyer reported that the warrant total for April 11, 2011 was in the amount of \$1,566,471.68.

Motion by C. Kann and second by M. Love to approve the warrant total for April 11, 2011 in the amount of \$1,566,471.68. QUESTION - Supervisor Hull noted that he did not agree with paying the invoice to Keystone Engineering Group for \$57,566.25 because they are behind on their schedule in providing the service on the SCADA system.

Amended Motion by C. Kann and amended second by M. Love to approve the April 11, 2011 Warrant removing the payment to Keystone Engineering Group with the Township Manager's discretion to release the check when Keystone has satisfied the work in the invoice. **Passed** with 5 ayes.

PUBLIC COMMENT PERIOD

Listed on the Agenda

Jason Messersmith, 2607 Brownstone Drive, Secretary of Brownstone Homeowners Association - Update - Mr. Messersmith addressed the communication between Kings Court (the Developer) and Brownstone HOA to resolve their issues in the formation of one homeowners association with regards to future phases in the Brownstone Manor Development.

Chair Shermeyer reminded the HOA Officers that they and Kings Court were to work out their issues and form one association.

Supervisor Kann commented that he preferred that the Township not become involved in the middle of this situation. They need to work this out between the two entities.

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Hal Barrow, Attorney for Brownstone Manor HOA, explained the draft proposal of the Kings Court's declaration of which the HOA had to sign by the March 31st deadline set by Kings Court. Ongoing letters relative to this matter have transpired by both parties' attorneys. The Brownstone HOA is interested in sealing a deal with Kings Court but they need 85% or 97 residents to sign off. Because the HOA exceeded the March deadline without resolution, Kings Court's final decision was to have two associations with a provision for a merger in the future in order to market their lots. Atty. Barrow requested intervention by the Township.

Atty. Rausch advised the Board that this matter is between the property owners in that development.

Steve Fargiano, President of the Brownstone HOA, noted numerous issues the HOA is having with Kings Court from the Community Building to stormwater runoff.

Atty. Rausch stated that he has been on the sidelines regarding the Township because it is not appropriate to spend taxpayers' money on this matter. It is not the Township's jurisdiction if Kings Court chooses to create a separate homeowners' association. The common elements of stormwater management in Phases 3 and 4 needs to have Township protection.

Mr. Barrow stated that a letter to Kings Court from the Dover Township Board of Supervisors would have more merit encouraging them to continue negotiations with the Brownstone HOA and to have the Township look at the stormwater situation.

Mr. Myers reported that Kings Court cannot relinquish the stormwater basin when they are still utilizing it for their construction. If Kings Court is proposing modifications be made to the approved Stormwater Management Plan, this cannot be done without modifying that plan. Mr. Myers indicated that he would follow up with Kings Court on this matter.

Chair Shermeyer related that as the Township Solicitor has stated the Township's hands are tied regarding this matter.

Andrea Crone of Crone's Gas & Goodies, 3071 Carlisle Road - Seasonal Vendor Sales Permits
- Mrs. Crone noted her concern with outside vendors coming into Dover Township to sell their seasonal wares taking business profits away from the local area businesses. She presented an Ordinance to the Board which has been adopted by Springettsbury Township as an example of a workable solution for seasonal sales. These seasonal vendors only have to pay the Township \$50.00 for a permit. She would like to protect the businesses in the area.

Marlin Crone provided examples of how the current Township regulations is hurting local businesses. He believes that non-profit organizations such as schools, churches, scouts, etc. should be exempted from the regulations.

Manager Wilson explained that the Zoning Officer polices this matter through parking regulations in which a seasonal vendor is not permitted to set-up their business in the Township if there is not sufficient parking through the permanent established business for the additional parking spaces needed for a second business.

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Cindy Campbell, Manager of the Stauffers of Kissel Hill in Dover, expressed concern with a decrease in business at their location due to the tough economic times. She agreed with the Crones on discouraging seasonal vendors from selling in the Township.

Chair Shermeyer stated that each Supervisor will review Springettsbury's Ordinance and give their comments to the Township Manager.

Manager Wilson reported that this ordinance would be an amendment to the Zoning Ordinance which would require reviews by both the Dover Township and York County Planning Commissions.

Atty. Rausch reminded the Board that they should look at the Law of Unattended Consequences. The treatment of non-profits and for-profits cannot differ. A vacant property can be rented or leased by the property owner to a seasonal vendor which would not alleviate the problem completely under this ordinance.

Chair Shermeyer informed the Crones that the Board would consider taking a look at Springettsbury's Ordinance more closely to determine how it could work for Dover Township.

Mae Ruppert of the Conewago Garden Club related to the Board that the Club would be willing to plant flowers and weed around the Log House, the Jail, and the Memorial. They would also plant flowers in the window boxes at the Log House if the Township would consent to watering them. She requested that the mowers be asked to prevent throwing the grass clippings into the flowerbed at the jailhouse.

Chair Shermeyer stated that Township Maintenance Staff does not have time to water in the summer. She suggested that the Garden Club not plant flowers in the window boxes at the Log House. Chair Shermeyer will be responsible for watering the Veterans Memorial.

Board Consensus was to not have the Conewago Garden Club plant any flowers in the window planters at the Log House.

ENGINEER'S REPORT by Terry Myers

Bid Awards for the 2011 Road Materials Contract - Mr. Myers reported that the bid opening for the 2011 Road Materials was held on April 6, 2011. After Mr. Myers and the Highway Crew Leader met to review the bids, they recommended that Crushed Aggregate for Bid Item Nos. A1 through A8 be awarded to York Building Products Co., Inc. and Bid Items Nos. A9 through A14 (Rip Rap) be awarded to Kinsley Materials; Placement and Compaction of Superpave HMA 19 mm binder course and 9.5 mm scratch and wearing courses be awarded to Stewart & Tate, Inc.; Utility Paving Restoration In-Kind be awarded to Fitz & Smith, Inc.; Bituminous Concrete Materials for the Superpave Asphalt Mixture be awarded to York Building Products Co., Inc. and the Latex Modified Cold Patch be awarded to Stewart & Tate, Inc.; and all concrete work be awarded to A. Pantano & Son. The bid tabulations have been attached to the minutes.

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Motion by D. Hull and second by C. Kann to award the 2011 Road Materials Contracts as recommended by the Township Engineer and Highway Crew Leader. **Passed** with 5 ayes.

SOLICITOR'S REPORT by Atty. Charles Rausch

Atty. Rausch stated that he had nothing to report to the Board at this time.

MANAGER'S REPORT by Laurel A. Wilson

Resolution 2011-10 Acknowledgment of Local Government Week: April 11-15, 2011 - Motion by M. Husson and second by D. Hull to approve Resolution 2011-10 acknowledging Local Government Week on April 11 to 15, 2011. **Passed** with 5 ayes.

On-Line Township Survey - Manager Wilson reported that there have been 258 respondents to the on-line survey to date. There is still another week until the deadline for the survey.

Cardinal Lane Traffic Options - Manager Wilson reported on the costs associated with the signs, delineators, rumble strips, and on-the-road slow signs with arrows in order to accommodate a resident's request of a hazardous curve on Cardinal Lane.

Board Consensus was to rent the equipment to place a plastic slow ahead sign with an arrow in that area on Cardinal Lane. Since the rental is for the whole day, the Board suggested that any other areas of potential dangerous curves should have the warning signs also installed on those Township roads.

Executive Session - Manager Wilson requested an Executive Session on a real estate matter and a personnel issue.

OLD BUSINESS

Chair Shermeyer asked Fire Chief Dave Faust for an assessment of the recent house fire that occurred on Emig Mill Road.

Chief Faust reported that he was out of state at the time of the fire. It was reported that the fire started in the second floor apartment of an old farm house in the dryer pipe. A second fire occurred at the same location later that day due to the old type of blown-in insulation. Two firefighters were injured on the second call when the roof collapsed.

COMMENTS/NEW BUSINESS FROM THE BOARD OF SUPERVISORS

Supervisor Love thanked the Dover Township Volunteer Fire Department for inviting the Board of Supervisors to their banquet. She had a great time and enjoyed the delicious food. She expressed that she appreciates all that they do for the community.

Supervisor Kann asked the Public Works Director for an update on the boil water situation from this afternoon.

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Mr. Farley reported that Well No. 3 was found to be not chlorinating this morning. There was something wrong with the chlorinating equipment and an investigation is currently underway. The testing requirements will not allow for the lifting of the boil water advisory until Thursday morning.

Manager Wilson announced it is important that residents provide updated contact information to the Township in case of such an emergency. The new auto-dialer was used to notify the residents of this water emergency, therefore many of them may not have received the call because of outdated or no information.

Chair Shermeyer commented that James McClure did an editorial on the Carousel Building in Sunday's newspaper and it was also on his blog. It showed the old building and the new design of the Carousel Building. She had provided him with the details for the article.

Chair Shermeyer reiterated the recent Board decision to purchase the golf course property by the Township. She requested that at some point a sign be erected as a part of Dover's heritage denoting the ridge along this property where Jeb Stewart had Confederate cannons aimed at the Borough of Dover as a threat to obtain additional horses on his campaign to Gettysburg to join in the Civil War.

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

Chair Shermeyer adjourned the meeting at 8:55 PM into an Executive Session on a real estate matter and a personnel issue.

Respectfully submitted by:

Dawn D. Slegel, Township Secretary