

**DOVER TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
July 25, 2011**

The Dover Township Board of Supervisors regular meeting for Monday, July 25, 2011 was called to order at 7:04 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; Karen Wilson, C. S. Davidson, Inc.; Charles Farley, Public Works Director; and Dawn Slegel, Recording Secretary. There were 3 citizens seated in the audience. This meeting has been recorded for minute purposes only.

Chair Shermeyer announced that a work session was held this evening at 6:00 PM on a draft Parade and Public Assembly Ordinance and an executive session to discuss a personnel issue and potential litigation concerning stormwater issues on South Salem Church Road and Ashcombe Farms. She 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 WORK SESSION MINUTES FOR JUNE 27, 2011**

**Motion** by M. Husson and second by C. Kann to approve the work session minutes for June 27, 2011 as presented. **Passed** with 5 ayes.

**APPROVAL OF MEETING MINUTES FOR JUNE 27, 2011**

Atty. Rausch corrected a comment made by Supervisor Love under Comments/New Business from Board of Supervisors where she asked the Board to consider a *bi*-partisan attorney which should be a *non*-partisan attorney to create a multi-governmental garbage contract.

**Motion** by M. Love and second by M. Husson to approve the meeting minutes for June 27, 2011 as amended. **Passed** with 5 ayes.

**TREASURER'S REPORT**

Chair Shermeyer reported that the warrant total for July 11, 2011 was in the amount of \$235,900.69.

**Motion** by M. Husson and second by M. Love to approve the warrant total for July 11, 2011 in the amount of \$235,900.69. **Passed** with 5 ayes.

Chair Shermeyer reported that the warrant total for July 25, 2011 was in the amount of \$336,855.32.

Supervisor Hull inquired about the CH & N Construction invoice.

Manager Wilson responded that the invoice was for the installation of a missing portion of sidewalk to connect Tower Drive to the Brownstone Development.

**Motion** by D. Hull and second by M. Love to approve the warrant total for July 25, 2011 in the amount of \$336,855.32.

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Chair Shermeyer questioned whether the Flohr Estate charge would be reimbursed.

Mr. Myers answered affirmatively

**Passed** with 5 ayes.

### **PUBLIC COMMENT PERIOD**

#### **Not Listed on the Agenda**

Mr. Myers reported that there were some questions regarding a substitute window for the Carousel Building. Tom Anthony, Project Manager of Poole Construction was present to request a possible substitution of windows. The estimator made a mistake and accepted a proposal for windows he thought were equivalent to the specified windows. He presented an alternate replacement window by Simonton. He offered a rebate of \$5,000 to accept the alternate window. His company will lose \$10,000 if the specified windows is used.

Mark Shermeyer of SAA Architects explained the technical differences between the two types of replacement windows. The decision for the Kolbe style window was made because it gave a more historic representation with the metal clad wood window and was reasonably priced. The Simonton window is used primarily in residential houses.

Chair Shermeyer questioned installing windows with the dividers between the panes which would provide ease of the window cleaning.

Mr. Shermeyer noted that the Board was interested in sticking with the originality of this historic building. The ease of cleaning windows consists of hosing down the windows with a chemical cleaner.

Supervisor Kann inquired about the brick modeling changing the ascetics of the building.

Mr. Anthony replied that they could place the exterior boards over top of the modeling to create a slimmer appearance to the window. It would take more carpenter work for the contractor although it would have the similar appearance intended. He also stated that if the Board would consider the grids between the panes, they also would lessen the overall window cost.

**Board Consensus** was to allow the contractor to install the Simonton windows.

Mr. Myers asked whether the \$5,000 offer included review costs or not.

Mr. Anthony said that his contact said that if it went over \$5,000, then it was suggested that they just purchase the Kolbe windows.

Mr. Myers informed the Board that his offer was \$5,000 less the review costs. The review costs may be around \$1,000.

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Mr. Anthony responded that in that case, they would still give Dover Township the \$5,000 offer. The cost savings would be even better if Dover Township decided to use the Kolbe window with the mullions between the panes.

**Board Consensus** was to stay with the Kolbe window but to go with the mullions between the panes.

Mr. Anthony reported that he will have to get a new proposal from Kolbe for this type of window.

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

#### **ENGINEER'S REPORT by Terry Myers**

**Approval of Contract Change Order No. 5 Final to Decrease \$8,045.36 from E.K. Service, Inc. for Hilton Ave. Water Line Project** - Mr. Myers reported that the major cost difference was the 350 square yards less of trench paving than the original estimate from the last change order. Therefore, the contract is \$8,045.36 less. The original contract was \$1,653,499.00 and with this change brings the contract price to \$1,619,339.27 which is \$34,000 less than the original contract price.

**Motion** by D. Hull and second by M. Love to approve Contract Change Order No. 5 (Final) decreasing the Hilton Ave. Water Line Project by \$8,045.36. **Passed** with 5 ayes.

**Approval of Application for Payment No. 11 in the Amount of \$55,397.96 to E.K. Service, Inc. for Hilton Ave. Water Line Project** - Mr. Myers reported that E.K Service, Inc. has attempted to complete all of the punch list items. He was uncertain as to the lawn restoration results so \$5,000 was kept as retainage. The net amount for payment on Application No. 11 is \$55,397.96.

**Motion** by M. Love and second by M. Husson to approve Application for Payment No. 11 in the amount of 55,397.96 to E.K. Service, Inc. for the Hilton Ave. Water Line Project. **Passed** with 5 ayes.

Mr. Myers reported that he did an analysis of what was originally included in the paving contract for the restoration of the streets and the actual expenditures. Half of the contract savings were in the paving restoration. On Hilton and Poplars Roads, it was proposed to restore with 4 inches of binder and 1 ½ inches of wearing and was only replaced with 3 inches of binder. This generated a savings of \$17,000. Since Poplars Road is in pretty bad shape, he proposed to use some of these savings and the same contractor to place a scratch course on this road.

Manager Wilson stated that the project would have to be modified with PennDOT since Liquid Fuels Funds are being utilized.

Mr. Farley added that the scratch course would help improve the ride-ability of Poplars Road caused by the water project.

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Atty. Rausch advised that the Township should seek the opinion of the bond counsel to see if he is comfortable with that being a part of the overall project. It would be his opinion if the water project created the need to do the entire overlay, then it would be a legitimate use of the funds.

Supervisor Kann requested that the Township take a more aggressive approach with regard to the prevailing wage laws and insuring that the contractor is paying his subcontractors/employees the prevailing wages.

**Motion** by M. Love and second by D. Hull to authorize the Hilton Avenue Water Line Project contract savings to be utilized for the placement of a scratch course on Poplars Road contingent on the advice from the Bond Counsel. **Passed** with 5 ayes.

**Approval of Application for Payment No. 1 in the Amount of \$43,429.50 to Poole Construction for Carousel Building Construction - Motion** by C. Kann and second by M. Love to approve Application for Payment No. 1 in the amount of \$43,329.50 to Poole Construction for the construction of the Carousel Building. **Passed** with 5 ayes.

**Approval of Application for Payment No. 1 in the Amount of \$900.00 to ASCOM, Inc. for Carousel Building Electrical - Motion** by C. Kann and second by M. Husson to approve Application for Payment No. 1 in the amount of \$900.00 to ASCOM, Inc. for the electrical work on the Carousel Building. **Passed** with 5 ayes.

**Award of George Street Culvert Replacements Contract** - Mr. Myers reported that the staff at the York County Planning Commission is recommending to the York County Commissioners that they approve the \$24,344.00 shortfall which would be added to the grant for Dover Township. Mr. Myers recommended that the Board award the contract to Fitz & Smith, Inc. If the County does not approve the additional funding, he stated that there is some road work that can be eliminated from the project that will bring it very close to the budgeted amount.

**Motion** by M. Husson and second by M. Love to award the George Street Culvert Replacements Contract to Fitz & Smith, Inc. reducing the scope of work as had been recommended by the Township Engineer if the York County Commissioners do not approve the additional \$24,344.00 of the block grant. **Passed** with 5 ayes.

**Paving Update** - Mr. Myers reported that the paving work will begin the second week of August with Tower Drive first on list and next Hilton Avenue. An issue which needs to be addressed concerns the modular home on Hilton Avenue that does not yet have the water or sewer services connected. It was suggested that the property owner be informed in a letter of the substantial difference between the road cut repairs before and after the new paving of Hilton Avenue.

**SOLICITOR'S REPORT by Atty. Charles Rausch**

**Approval of the Developer's Agreement between Members First and Dover Township** - Atty. Rausch reported that Dover Township agreed to cap and remove the existing water lateral across

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Route 74. Members First will construct a water main and fire hydrant and provide the pipe. Dover Township will provide the pipe materials, fittings, and appurtenances for the proposed water main and fire hydrant. Members First will install the water main and fire hydrant in accordance with their plan. Dover Township has the right to encroach, maintain, and repair on their constructed stormwater facilities if they are not maintained properly and lien them for the costs. The agreement has already been signed by Members First.

**Motion** by D. Hull and second by M. Love to approve the Developer's Agreement between Members First and Dover Township. **Passed** with 5 ayes.

**Draft Parade & Public Assembly Ordinance** - Atty. Rausch reported that the Board discussed the draft Parade & Public Assembly Ordinance during the work session at 6 PM this evening. He requested a motion to advertise the ordinance.

**Motion** by M. Love and second by M. Husson to authorize the advertisement of the Parade & Public Assembly Ordinance. **Passed** with 4 ayes and 1 nay with opposition by C. Kann.

**MANAGER'S REPORT by Laurel A. Wilson**

**Northern York County Regional Police Request for Waiver of the Building Permit Fee for Parking Lot Expansion at Range/Training Facility** - **Motion** by C. Kann and second by M. Husson to waive the building permit fee for the parking lot expansion at the range/training facility for the Northern York County Regional Police Department. **Passed** with 4 ayes and 1 nay with opposition by M. Husson.

**Hilton Avenue Water Line Connections** - Manager Wilson reported that there are four property owners on Hilton Avenue who have not followed through on their obligation to connect to the Township's water system. The Township has several enforcement options: 1. Proceed through the legal process to force them to connect by sending notices; 2. Attach liens to their properties with payment received at settlement or when called upon which is also served by notices; or 3. Decide to do nothing.

Supervisor Kann suggested that the Township should just begin billing them at the original agreement or they should sign the waiver form.

Manager Wilson added that if the Board decides to lien the properties, after they are served the notices, the property owners will have fifteen days to contest.

**Board Consensus** was to lien the properties that have not paid Dover Township for their water connections on Hilton Avenue.

Atty. Rausch stated that first a thirty day letter will be sent advising them that if they don't pay, Dover Township will be filing a lien assessing costs and attorney's fees.

**OLD BUSINESS**

**Approval of Revised Priorities Plan** - **Motion** by M. Love and second by D. Hull to approve the revised priorities plan.

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QUESTION - Supervisor Hull asked whether there could be some other changes made to the plan. He had some ideas dealing with recreational facilities and will discuss them with the Recreation Director.

**Passed** with 5 ayes.

**Late Fee Waiver Request** - Manager Wilson addressed an issue with a lost check for a water and sewer bill where the user requested in writing that the late fee of \$21.54 be waived.

**Motion** by C. Kann and second by D. Hull to waive the late fee on the water and sewer bill. **Passed** with 5 ayes.

### **COMMENTS/NEW BUSINESS FROM THE BOARD OF SUPERVISORS**

Supervisor Husson inquired about the Glen Gery entrance off of Davidsburg Road being paved twenty-five feet back. He also discussed the possibility of changing the signal lights on Route 74 to flashing yellow with the intersecting roads flashing red between midnight and 5 or 6 AM.

Mr. Myers responded that a modification to the signal would require a change to the PennDOT permit. The time controllers on the lights are adjustable. He suggested that this idea be further evaluated with Milt, the traffic light service repairman.

Supervisor Husson asked the Fire Chief whether there were building modifications performed to the fire department which included an additional bunk room. He was concerned with the number of people living in the dormitories. He also inquired as to the goal of the fire department.

Chief Faust replied that the windows in the dorms were blacked out with plastic sheathing. A bunk room door was added between two bunk rooms to allow for a safer route of egress in case of fire. There are currently ten firefighters housed in the dorms working different shift work. They are on-call as long as they are in the station. To acquire housing, they go through an interview process, a probationary period, and must be an interior qualified firefighter. Then, they receive extensive driver training in order to operate the fire apparatus.

Supervisor Hull updated the Board on the Northern York County Regional Police parking lot expansion at the Range Facility. The police have been receiving more requests to utilize this facility for trainings. This allows the NYCRP officers to get free or reduced cost trainings which benefits the participating municipalities. He also reported that three youth felons were apprehended in the car burglaries and charged with 90 thefts in Dover Township. He suggested that Dover Township begin an Adopt-A-Highway Program on Township roads similar to the State's.

Supervisor Love asked for an investigation of the water connection to the former Good's Furniture Store because of the operation of a sign shop and a barber shop. She received a request by a resident for permission to walk their dog on the Township's recently acquired golf course property.

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Manager Wilson responded that the land has been posted no trespassing. There are liabilities issues that must be addressed first with the insurance company.

Chair Shermeyer reminded the Board of an invitation from Royal Farms to attend their LEED certification ceremony on August 3 at 10:15 AM which will be covered by the TV media. She also recommended the Dover Township's pamphlets designed by Dolores Ladd and other Township Staff be submitted into the PSATS' Citizens Communication Contest.

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

Chair Shermeyer adjourned the meeting at 9:14 PM.

Respectfully submitted by:

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Dawn D. Slegel, Township Secretary

