

**DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
November 28, 2011**

The Dover Township Board of Supervisors regular meeting for Monday, November 28, 2011 was called to order at 7:00 PM by Chairwoman Shermeyer in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Chair Madelyn Shermeyer, Monica Love, Michael Husson, Curtis Kann, and Duane Hull. 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 16 citizens and 1 reporter 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 WORK SESSION MINUTES FOR NOVEMBER 14, 2011

Motion by M. Husson and second by C. Kann to approve the work session minutes for November 24, 2011 as presented. **Passed** with 4 ayes and 1 abstention by M. Love.

APPROVAL OF MEETING MINUTES FOR NOVEMBER 14, 2011

Supervisor Love wanted her remark clarified on the last page of the meeting minutes for November 14, 2011 to include the following addition: Supervisor Love explained *if they are residential now*, the proposed commercial properties would become nonconformities and there would be restrictions on these properties.

Motion by D. Hull and second by M. Husson to approve the meeting minutes for November 14, 2011 as amended. **Passed** with 5 ayes.

TREASURER'S REPORT

Chair Shermeyer reported that the warrant total for November 28, 2011 was in the amount of \$383,751.37.

Motion by D. Hull and second by M. Love to approve the warrant total for November 28, 2011 in the amount of \$383,751.37 as presented. **Passed** with 5 ayes.

PUBLIC COMMENT PERIOD

Listed on the Agenda

Gary Knisely, 1051 Cherry Orchard Road, Deer Park Estates Homeowners Association - Road Repaving Schedule for Deer Park Est. - Mr. Knisely distributed an outline to the Board of his comments. Along with Mr. Knisely this evening were eight other members of the Deer Park Homeowners Association. He addressed some safety concerns on Cherry Orchard Road, Appaloosa Drive, and Deer Run Drive. He felt that Cherry Orchard Road needs to be paved and has become a shortcut through from Bull Road to Route 74. He presented photographs of the drainage problems on Appaloosa Drive. In his perception, Deer Run Drive is a steep road and due to the deteriorating road situation, stopping at the intersection has become hazardous. He noted two sight distance

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problems that exist at the intersection of Cherry Orchard Road turning left onto Nursery Road and a similar circumstance at the George Street intersection to turn onto Nursery Road.

Supervisor Husson inquired about the time of the photographs.

Carol Kauffman, 4632 Appolsa Drive, responded that the pictures were taken a couple weeks ago in November. She noted that this is the standard amount of standing water usually present. Also, garbage trucks cannot maneuver around the cul-de-sac so deep ruts are left along the side of the road. She added that mosquitoes dominate the area in the summer. They would prefer the Township widen the road rather than paving over the cul-de-sac creating additional water runoff problems. The large trucks have also collapsed the roadway in an attempt to make the turn.

Chair Shermeyer noted that the Township has discussed removing the center island of trees and brush from the cul-de-sacs on Appolsa Drive and Deer Run Drive.

Supervisor Love suggested using stone to fill in the center and area along the outside of the cul-de-sac so that the stormwater can drain into the stone giving the large trucks some room to maneuver around the radius.

Chair Shermeyer stated that these roads are being considered for the Township's five year paving plan.

Manager Wilson reported that the property owners have been contacted by the Highway Crew Leader about eliminating the clear sight distance problems.

Kim Kohler, 1678 Condor Lane, Treasurer of Tri-Town Football Association, Introduction of 2012 Officers and Snack Bar Sewer Connection - Ms. Kohler introduced the Officers of the Tri-Town Boys Club Association. She is the current Treasurer of the organization. The other members present this evening were Lynn Mellott, current Vice President; Cindy Grove, newly elected President; Doug Cupp, newly elected Vice President; and Susan Cunningham, newly elected Treasurer. Ms. Kohler addressed the issue with the snack bar not hooked up to the sewer system. Unfortunately, due to the flooding, refrigerators, freezers, fryers, and other machines were destroyed in the flood.

Supervisor Shermeyer questioned the status of the agreement of June, 2008 between the Township and Tri-Town concerning Tri-Town's portion.

Ms. Kohler replied that the walkway path was the only item which was not completed and cannot be done until the flooding issues are resolved by crowning the field. The drain pipe has been installed.

Doug Cupp, 3731 Kimberly Lane, reviewed the fees associated with the Township for the sewer connection. His concern was Tri-Town's financial contribution.

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Mr. Farley reported that there are some difficulties in making the connection because of the depth below stormwater pipe and the deep tie into the sewer main, plus undocumented electrical wiring from the stadium lights. Being beyond the Township's expertise, quotes were obtained by the Township to contract out the excavation work for the connection.

Manager Wilson explained that the Township Staff considers this connection to be Tri-Town's responsibility because they have sole possession of the snack bar. The Township obtained a quote to provide Tri-Town and the Board with the potential cost. The Board can override that decision because they do have the final say in this matter.

Supervisor Love commented that the Board has not discussed the financing of this project.

Chair Shermeyer suggested the concept of adding a surcharge to Tri-Town's utility bill so the whole amount will not have to be paid at one time.

Ms. Kohler inquired about the connection to the sewer allowing for permanent restroom facilities rather than the current use of portable rental units.

Mr. Cupp noted that there are all kinds of improvements that can be made, but the first issue is to deal with the flooding.

Chair Shermeyer stated that the Board will have to discuss this matter at a later time.

Mr. Myers added that the project can be separated into two portions. The first one being the lateral connection which is the Township's responsibility because it is in the right-of-way maintained by Dover Township. This portion could be financed by the Township and reimbursed over time through a surcharge. Then, the last part of the connection or the service line can be performed by a licensed plumber from which would be Tri-Town's responsibility.

Mr. Cupp requested that Tri-Town would like the opportunity to obtain some additional quotes for this work.

Mr. Myers remarked that since the snack bar use begins in July, the connection could be revisited again in the Spring.

Charles Farley, Public Works Director, Discussion on MS4 Issues - Mr. Farley requested the Chair assign a liaison to the Township on MS4 issues and permit compliance.

Chair Shermeyer responded that Supervisor Love is familiar with stormwater issues as she dealt with these matters in her former job duties.

Mr. Farley continued stating that the Stormwater Management Ordinance requires that if certain building standards are not met an Operation & Maintenance Agreement must then be approved by the Board, notarized by both parties, and recorded.

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Supervisor Love questioned whether the O & M Agreements must be recorded.

Atty. Rausch advised that the easement areas are protected and unless it is recorded, new property owners will not recognize their obligations under the O & M Agreement.

Motion by M. Love and second by D. Hull to approve the following Stormwater Operation & Maintenance & Access Agreements for 3511 Kimberly Lane, 3186 Fox Ridge Drive East, 1060 Rohlers Church Road, and 3750 Kimberly Lane. **Passed** with 5 ayes.

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

ENGINEER'S REPORT by Terry Myers

Approval of Application for Payment No. 12 Final in the Amount of \$5,000 to E.K. Service, Inc. for the Hilton Avenue Water Line Project - Mr. Myers reported that this amount is for the retainage to finish some areas with grading and seeding. The contractor has two minor items to complete to remove the silt sock and reseed and mulch a property on Poplars Road. These items can be covered under the maintenance guarantee.

Motion by D. Hull and second by C. Kann to approve Application for Payment No. 12 Final in the amount of \$5,000 to E.K. Service, Inc. for the Hilton Avenue Water Line Project. **Passed** with 5 ayes.

Approval of Contract Change Order No. 1 in the Amount of \$6,419 to A. Pantano and Sons for Concrete Work - Mr. Myers reported that the annual concrete contract with A. Pantano and Sons was used to do the sidewalk and walkway at the Carousel Building. This change order would be to establish the unit prices for that work. The second part of the change order is to add the curb, sidewalk, and handicap ramp replacements at the bridge on Cardinal Lane. Also, the Tower Drive Project is included to correct the quantities of an additional six feet of curb and twelve feet less of concrete sidewalk. The change order amounted to a net increase of \$6,419. Mainly, the bulk of the change order was the work at the Carousel Building in the amount of approximately \$4,500.

Motion by C. Kann and second by M. Love to approve Contract Change Order No. 1 in the amount of \$6,419 to A. Pantano and Sons for the above additional concrete work. **Passed** with 5 ayes.

Approval of Contract Change Order No. 2 in the Amount of \$8,607 to Stewart and Tate, Inc. for Paving Work - Mr. Myers reported that there is a change order for Stewart and Tate, Inc. to add the grading, stone placement, and paving for the handicap parking spaces at the Carousel Building, and to include the access walkway off the handicap spaces continuing on to the restroom facilities. The estimate, not to exceed \$8,607, included equipment and labor, plus the Township would be responsible for purchasing the paving materials of stone, binder, and the wearing course which will cost approximately \$3,000.

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Motion by C. Kann and second by M. Love to approve Contract Change Order No. 2 not to exceed \$8,607 to Stewart and Tate, Inc. for the above paving work at the Carousel Building. **Passed** with 5 ayes.

Mr. Myers added that a representative from Stewart and Tate provided a quote of between \$1,000 to \$1,500 to repair the entrance to Brookside Park at Fox Run Road. This cost includes one hour of digging and paving the entrance way of thirty feet by twenty-six feet wide, equipment, labor, and materials.

Motion by C. Kann and second by D. Hull to approve Stewart and Tate, Inc. to pave the entrance to Brookside Park not to exceed \$1,500. **Passed** with 5 ayes.

Approval of Application for Payment No. 5 in the Amount of \$79,430.45 to Poole Construction for Carousel Building - Mr. Myers reported that the total value of all work and materials to date is \$354,138.00 with a 5% retainage of \$17,749.75 leaving a net amount for payment of \$79,430.45.

Motion by M. Love and second by M. Husson to approve Application for Payment No. 5 in the amount of \$79,430.45 to Poole Construction for the Carousel Building reconstruction. **Passed** with 5 ayes.

Mr. Myers reported that Poole has some minor change orders for the two tone painting and for the spackling on the interior wall board which were not included in the original contract.

Supervisor Hull voiced his displeasure with change orders.

Supervisor Husson opposed the additional cost for the spackling work which should have definitely been included in the contract.

Mr. Myers noted that he will speak to the contractor about the additional cost related to the spackling.

SOLICITOR'S REPORT by Atty. Rausch

Atty. Rausch reported that he is currently working with the Township Manager to finalize the financing for the golf course purchase by the end of this year.

MANAGER'S REPORT by Laurel Wilson

Resolution 2011-25 Reimbursement Resolution - Manager Wilson reported that this resolution allows the Board for a pay back on the second payment of the golf course purchase in 2012 and also will allow for additional borrowing on new projects with a ceiling of \$4.5 million. This borrowing is just a possibility should conditions be to the Township's benefit. This resolution gives the Board the ability to borrow money while the decision to borrow any funds and the type of borrowing will be determined next year.

Atty. Rausch advised that this resolution does not authorize any borrowing. It is only the ability to payback for the advancement of funds before the money is received.

Motion by M. Love and second by M. Husson to approve Resolution 2011-25 the Reimbursement Resolution. **Passed** with 5 ayes.

Manager Wilson explained that the next payment on the golf course purchase is due on December 31, 2011. She recommended that the Board approve making the payment earlier in order to save on the interest incurred between \$160 to \$200 per day.

Atty. Rausch suggested wiring the money which would be received by the seller's bank the same day.

Motion by M. Husson and second by M. Love to authorize the wiring of the golf course payment on December 12, 2012. **Passed** with 5 ayes.

OLD BUSINESS

1746 Hilton Avenue Road Cut Discussion - Manager Wilson reported that the referenced payment made by Mr. Krouse at the last meeting was actually for the tapping fee. He has not yet applied for the Road Occupancy Permit. He does need the Board 's approval in order to obtain the permit because Hilton Avenue was recently paved.

Mr. Myers explained the process for repairing a newly paved road back to an acceptable condition would be to use flowable fill preventing any settlement. The surface repair process involves heating the material around the repair edge and raking and rolling it so the seams are not visible. Hand raking would be noticeable on the road surface.

Executive Session - Manager Wilson requested an executive session after the regular meeting for a personnel matter.

COMMENTS/NEW BUSINESS FROM THE BOARD OF SUPERVISORS

Supervisor Love commented on the glaring lights from Pro-Pallet seen throughout Dover Township. Since the leaves have fallen from the trees, their lights have created a disturbance throughout the neighborhood.

Mr. Myers stated that a meeting with Supervisor Love, the owner of Pro-Pallet, the Zoning Officer, and himself can be arranged to resolve the lighting issue.

Supervisor Husson informed the Board that the Sewer Authority will not be retaining the legal services of Atty. Holtzer for 2012. Atty. Andrew Miller of MPL Law Firm, LLP will be the newly appointed Sewer Authority Attorney beginning January 1, 2012.

Chair Shermeyer reported on the Honey Run Neighborhood Block Watch Committee written request of several options to deter teen activities at the dead end of Hadley Drive and Honey Run Drive.

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The Board felt that barricades as requested would not alleviate the situation. The other request for a street light was not supported by the Board. Requested Children at Play signs may be posted but are paid by the resident requesting them and installed by the Township in the street right-of-ways.

Manager Wilson was directed by the Board to respond to the letter.

Chair Shermeyer announced the presence of a Supervisor Elect in the audience, Charles Richards, who will take office in January, 2012.

COMMENTS FROM THE PUBLIC PRESENT

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

Chair Shermeyer adjourned the meeting at 8:53 PM into an Executive Session on personnel.

Respectfully submitted by:

Dawn D. Slegel, Township Secretary

