

**DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
December 12, 2011**

The Dover Township Board of Supervisors regular meeting for Monday, December 12, 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; and Dawn Slegel, Recording Secretary. There were 11 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 MEETING MINUTES FOR NOVEMBER 28, 2011

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

TREASURER'S REPORT

Chair Shermeyer reported that the warrant total for December 2, 2011 was in the amount of \$128,288.54.

Motion by C. Kann and second by M. Husson to approve the warrant total for December 2, 2011 in the amount of \$128,288.54 as presented. **Passed** with 5 ayes.

Chair Shermeyer reported that the warrant total for December 12, 2011 was in the amount of \$368,018.02.

Supervisor Hull requested that the check to Keystone Engineering Group in the amount of \$11,513.25 for the SCADA system be held until the Water Crew Leader signifies its release.

Supervisor Husson stated that this is a final payment to Keystone and questioned whether there were issues with the SCADA system.

Supervisor Hull answered affirmatively reporting that the system is not complete and there are still some minor problems.

Motion by D. Hull and second by M. Husson to approve the warrant total for December 12, 2011 in the amount of \$368,018.02 holding the check for Keystone Engineering Group until the Water Crew Leader authorizes release of this final payment. **Passed** with 5 ayes.

PUBLIC COMMENT PERIOD

Listed on the Agenda

Dave Hoffman, Crone's Restaurant Site Plan Modification - The Board had received copies of the site plan for the proposed restaurant facility with their meeting information. The issue brought

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before the Board was to request a waiver of the traffic study. In lieu of a traffic study, an estimated site generated trip report was submitted. This report indicated what the trips would be for this site for the proposed use in comparison to the prior use. Overall, there would be less trips to the site except there would be a slight increase during certain hours of the day. The Dover Township Planning Commission did not have a reason for warranting a traffic impact study. Mr. Hoffman requested a waiver from the Board of Chapter 22 of the Subdivision and Land Development Ordinance, Section 719.2C.

Motion by M. Love and second by M. Husson to grant the waiver of Chapter 22-719.2C. **Passed** with 5 ayes.

Mr. Hoffman inquired about the zoning amendment status pertaining to this proposed use.

Chair Shermeyer stated that affidavits from the four property owners to the rear of Crone's property were to be acquired by the Crones.

Supervisor Love recollected that the Dover Township Planning Commission directed the Zoning Officer to notify the Crones stating that the Township would look at rezoning the four properties behind 3071 Carlisle Road only if those property owners agreed to the rezoning of their properties from Residential to Commercial.

Mr. Hoffman wanted some type of guarantee from the Board on the rezoning issue.

The Board agreed that if the four property owners signed the affidavits, they would continue with the rezoning.

Columbia Gas of PA - Approval for Road Cut on Oak Lane - Brian Shomper, Field Engineer Leader with Columbia Gas of PA was present to request the Board's approval to cut Oak Lane to replace their infrastructure. Sixteen gas services need to be connected of which eight are on the north side of the street and the other eight are on the south side. The new gas main will be installed on the south side of Oak Lane. They will try to minimize the disturbance to the three year old roadway. He discussed their process of coring, vacuuming, drilling, filling with flowable fill, and replacing with the original macadam, and seal. Another technique they use is to cut the road and use infrared technology to heat the edge of the patch.

John Yankowski of Columbia Gas commented that their work will be done to the Township's guaranteed satisfaction.

Supervisor Husson noted his concern was that the storm water improvements also remain intact.

Mr. Myers instructed Columbia Gas to utilize flowable fill for the open excavation within the paving and the infrared technology to blend the wearing course.

Motion by C. Kann and second by M. Love to approve the work by Columbia Gas on Oak Lane contingent on following the specifications set by the Township Engineer. **Passed** with 5 ayes.

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Mr. Myers indicated that the Highway Occupancy Permit has been issued and he will send Columbia Gas a supplement to the permit.

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

ENGINEER'S REPORT by Terry Myers

Application for Payment No. 2 to ASCOM, Inc. in the Amount of \$38,787.90 for Carousel Building Electrical Work - Mr. Myers reported that 5% retainage has been kept in the amount of \$2,094.10.

Motion by M. Husson and second by M. Love to approve Application for Payment No. 2 to ASCOM, Inc. in the amount of \$38,787.90 for the electrical work on the Carousel Building. **Passed** with 5 ayes.

Change Order Requests from Poole Construction, Inc. - Mr. Myers reported that they are still negotiating with Poole Construction, Inc. and will postpone discussing this matter until the January meeting.

Mr. Myers discussed delaying the interior painting until there is warmer weather.

Manager Wilson reported that the Open House for the Carousel Building has been planned for March 31, 2012.

The Board wanted reassurance that the steel would be coated with primer to prevent rust over the winter.

Mr. Myers reported that a primer coat was completed but there may be touch-up painting necessary.

Authorization to Close George Street from December 19, 2011 to January 30, 2012 - Motion by M. Love and second by M. Husson to authorize the closing of George Street from December 19, 2011 to January 30, 2011 for the culvert replacement project. **Passed** with 5 ayes.

1746 Hilton Avenue Road Cut - Mr. Myers addressed the topic for discussion with the presence of Mr. Crouse. Mr. Myers stated that the Public Works Director recommended holding the lateral deposits for both water and sewer until the connections are made in case the Township would need to supply any project materials. The Township will not be performing the sewer or water connections.

Mr. Myers suggested that Mr. Crouse be allowed to cut the Hilton Avenue and use the same technique as was discussed with Columbia Gas involving flowable fill and infrared heating technology. Mr. Crouse was instructed to apply for a Highway Occupancy Permit.

Motion by M. Husson and second by D. Hull to approve the cut on Hilton Avenue to connect 1746 Hilton Avenue to the Township's water and sewer systems as specified by the Township Engineer.

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QUESTION - Supervisor Hull inquired whether this work could be completed in one day because of the closure of Hilton Avenue and detouring traffic.

Mr. Crouse replied that a majority of the work could be finished in one day.

Passed with 5 ayes.

Salem Run Seepage Trench - Mr. Myers reported that approval to allow a seepage trench within the sanitary sewer right-of-way of the Salem Run Development is needed by the Board. He indicated that water lies in the rear properties of Majestic Court. In order to alleviate the water problems, the Salem Run Homeowners Association would like to install a seepage trench. He stated that an easement agreement is needed between the Township and Homeowners Association to determine the HOA's responsibilities regarding maintenance and repairs.

Atty. Rausch stated that a draft standard agreement has been prepared and should be able to be adjusted for this situation.

Manager Wilson noted that the Public Works Director will need to inform the HOA that they will be responsible for the recording fee of the agreement.

Motion by M. Love and second by M. Husson to allow the Salem Run Homeowners Association to install a seepage trench in the Township's sanitary sewer right-of-way and to direct the Township Solicitor to prepare an access easement agreement and an operation and maintenance agreement and any other pertinent documents at the expense of the HOA for the recording. **Passed** with 5 ayes.

SOLICITOR'S REPORT by Atty. Rausch

Atty. Rausch updated the Board on the status of a previous fence agreement at 3713 Kimberly Lane. They were instructed to get a letter from the HOA for permission to install a fence within the stormwater easement.

MANAGER'S REPORT by Laurel Wilson

Ordinance 2011-12 Indebtedness Ordinance Amendment - Manager Wilson reported that DCED has required another ordinance amendment to back the debt of Dover Township Volunteer Fire Department on the \$150,000 borrowing for the fire rescue truck requiring the Township to designate the sinking fund depository which will be Susquehanna Bank.

Motion by M. Husson and second by M. Love to adopt Ordinance 2011-12 the Indebtedness Ordinance Amendment. **Passed** with 5 ayes.

Resolution 2011-26 Adoption of 2012 Budget - Motion by D. Hull and second by M. Love to approve Resolution 2011-26 adopting the 2012 Budget. **Passed** with 5 ayes.

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Resolution 2011-27 Tax Levy Resolution for 2012 - Manager Wilson reported that all taxes will remain the same for 2012.

Chair Shermeyer commented that this year was an extremely tough budget year. The millage will remain at 1 mill for 2012 with the tax rate for general purposes at .835 mills and the tax rate for fire purposes at .165 mills.

Motion by C. Kann and second by D. Hull to approve Resolution 2011-27 the Tax Levy Resolution for 2012. **Passed** with 5 ayes.

Resolution 2011-28 Establishing and Fixing Tax Levies, Other Than Real Estate for 2012 - Manager Wilson reported that this resolution includes the real estate transfer tax, per capita tax, earned income tax, amusement device tax, mercantile license tax, and local services tax.

Motion by C. Kann and second by M. Love to approve Resolution 2011-28 establishing and fixing the tax levies other than real estate for 2012. **Passed** with 5 ayes.

Bid Award to Auto Wholesalers in the Amount of \$8,283.00 for 1989 GMC/Volvo Roll Off Dump Truck - **Motion** by D. Hull and second by C. Kann to award bid for sale of the 1989 GMC/Volvo Roll Off Dump Truck to Auto Wholesalers in the amount of \$8,283.00. **Passed** with 5 ayes. The bid tabulation has been attached to the minutes.

Reorganization Meeting - Manager Wilson announced that the Board of Supervisors will be holding their reorganization meeting on Tuesday, January 3, 2012 at 6:00 PM.

Newsletter Advertisers - Manager Wilson reported that there are six businesses that took an ad with commitments in all four issues for the year. They are: Gohn & Stambaugh, Hively Landscape, Covenant Insurance, Madison Valley Manor, Highland Park Apartments, and Herr's Antiques for a total cost of \$6,000.

OLD BUSINESS

There wasn't any old business at this time.

COMMENTS/NEW BUSINESS FROM THE BOARD OF SUPERVISORS

Chair Shermeyer presented the recommendations from the Dover Township Planning Commission for zoning ordinance amendments. The first one was already discussed regarding the waiver of a traffic impact study for the Shelly's Restaurant which was recommended by the Planning Commission. Other amendments were to add the definition of tavern to zoning ordinance and to make a tavern a use by special exception, the location of a tavern in the Village, Commercial, and Business Park Zones. Township Staff was directed to contact the Crones to obtain affidavits from the property owners within 200 feet of the Crone's property. Permitted uses in the Business Park were discussed. The word "child" should be removed from Child Care Facilities.

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Motion by M. Husson and second by M. Love to direct the Township Solicitor to prepare the draft zoning ordinance amendments to present to the Board of Supervisors in January, 2012. **Passed** with 5 ayes.

Chair Shermeyer thanked Supervisor Hull for serving eight years and Supervisor Kann for his service of six years as Dover Township Supervisors. She welcomed Matthew Menges and Charles Richards as the Supervisors Elect for the next six years.

Supervisor Kann thanked the Dover Township residents for giving him this opportunity. He wished the new Board the best of luck. His comment to them was a reminder that they serve ALL the Township residents and continue with the good work.

Supervisor Love commented that the Carousel Building is looking very good.

Supervisor Hull added that the newly paved walkways and the paved entrance at Brookside Park are fantastic.

Chair Shermeyer commented on Christmas in the Park and how beautifully the park was decorated. She thanked the Women of Today for assisting with the decorating.

COMMENTS FROM THE PUBLIC PRESENT

Fire Chief Dave Faust inquired on the addresses on either end of George Street for the road closure necessary to inform the other emergency services.

Mr. Myers responded that he will forward the requested information to the Township Secretary who will email the information to the Fire Chief.

Terra Vista Rezoning Amendment - Mr. Myers reported that the Dover Township Planning Commission recommended that the requested zoning change not be considered at this point.

Chair Shermeyer stated that the York County Planning Commission did not feel that the rezoning was consistent with the Comprehensive Plan.

Atty. Rausch inquired about the applicant's position on the matter. He noted that the application could be withdrawn because no legal advertisement has been published for the public hearing. He asked whether the Board would consider refunding their money.

Supervisor Love thought that the applicant would not be withdrawing the request because they do not want to construct duplexes as per the plan since it is currently zoned R-1 and these duplexes would be nonconforming. It only received a preliminary conditional approval from the Dover Township Planning Commission. The plan has not come before the Board of Supervisors for any approvals.

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Mr. Myers reported that the Board did take action to extend the plan numerous times and then they received a blanket extension.

Atty. Rausch stated that he would contact their attorney in order to determine their plan of action on the rezoning application.

Chair Shermeyer wished everyone a Merry Christmas.

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

Chair Shermeyer adjourned the meeting at 8:39 PM.

Respectfully submitted by:

Dawn D. Slegel, Township Secretary

