

**DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
MEETING MINUTES
AUGUST 22, 2016**

The Dover Township Board of Supervisors' Meeting for Monday, August 22, 2016, was called to order at 7:00 PM by Chairperson Matthew Menges in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Matthew Menges, Stephen Parthree, Charles Richards, Stephen Stefanowicz and Robert Stone. Other Township Representatives in attendance were Laurel Oswalt, Township Manager; Attorney Charles Rausch, Township Solicitor; Michael Fleming, Township Public Works Director; Corey Flythe, Township Lead Water Operator; Terry Myers, Township Engineer; Corey McCoy, C.S. Davidson and Tiffany Strine, Recording Secretary. There were twenty-three citizens present. This meeting is being recorded for the purpose of minutes only.

Chair Menges announced, prior to the start of this meeting, a work session was held at 6:00 PM. The August 22, 2016 work session was held for the purpose of holding an informational presentation from Diane Oleson, M.S., from the PennState Extension Office regarding water and septic systems.

A moment of silence was requested, followed by the reciting of the Pledge of Allegiance to the American Flag.

APPROVAL OF THE WORK SESSION MEETING MINUTES FOR JULY 25, 2016

Motion by R. Stone and seconded by S. Stefanowicz to approve the Work Session Meeting Minutes for July 25, 2016, as presented. **Passed** with 5 ayes

APPROVAL OF THE BOARD OF SUPERVISORS MEETING MINUTES FOR JULY 25, 2016

Motion by R. Stone and seconded by C. Richards to approve the Board of Supervisors Meeting Minutes for July 25, 2016, as presented. **Passed** with 5 ayes

TREASURER'S REPORT

Approval of Current Expenditures

Motion by C. Richards and seconded by S. Parthree to approve the warrant total for August 8, 2016, in the amount of \$414,208.40, as presented. **Passed** with 5 ayes

Motion by C. Richards and seconded by S. Parthree to approve the warrant total for August 22, 2016, in the amount of \$632,881.05, as presented. **Passed** with 5 ayes

In addition to the August 22, 2016 warrant totals, approval is being requested for three (3) check requisitions from the Township's Construction Fund.

The following are the vendors and amounts being requested: 1.) Daniel B. Krieg in the amount of \$3,515.75 to repair storm pipe on Rohlers Church Road, Dairy Road, Salem Run Road and for stock. 2.) York Materials Group in the amount of \$10,197.29 for materials used on Pinchtown Road, Paradise Road, Temple School Road, Conewago Road, Dairy Road and Rohlers Church Road for storm pipe, patch and black top construction. 3.) York Building Products in the amount of \$99.75 for Rip Rap stock of storm pipe repairs. The total amount to be authorized for approval is \$13,812.79.

Motion by C. Richards and seconded by R. Stone to approve the requested three (3) check requisitions from the Dover Township Construction Fund in addition to the warrant total for August 22, 2016, in the amount of \$13,812.79, as presented. **Passed** with 5 ayes

PUBLIC COMMENT

Alfredo Santiago, Jr. – 3561 Kortni Drive – Home Owners’ Association Board President of Creekside Village – Discussing Site Improvements in Creekside Village

Alfredo Santiago, Jr. of 3561 Kortni Drive spoke to the Board regarding various issues that the Home Owners’ Association would like to have addressed with regards to site development within Creekside Village. Areas of concern include; the poor condition of various areas within Creekside Village involving road and stormwater basin conditions, the LLC that was the developer of Creekside Village has dissolved making means for resolve difficult and the lapsing of a performance bond that is now no longer available. The Home Owners’ Association of Creekside Village would like the Township to take action to require the developer to make the necessary improvements and in the event the developer should fail to do so, the Home Owners’ Association would like the Township to take legal recourse against the developer and thus have the Township perform the requested work utilizing Township funds.

The Board thanked Mr. Santiago, Jr. for his time and public comment.

Attorney Margaret W. Driscoll with the CGA Law Firm – Discussing the Ashley Farms Property Home Owners’ Association

Attorney Margaret W. Driscoll informed the Board that the CGA Law Firm represents Ashley Farms Property Owners’ Association, Inc. Attorney Driscoll would like to formally present the Board with a proposal on behalf of the Ashley Farms Property Owners’ Association, Inc., regarding the maintenance of the areas stormwater facilities. The association has experienced a lessened interest and collaboration to effectively fulfill the requirements needed to adequately maintain the designated storm water facilities. The association has decided that given all of the circumstances, the association intends to pursue termination. The association would like the Township to assume the maintenance of the stormwater facilities in exchange for the allocation of unspent reserves to the Township be applied to ongoing maintenance costs of the facility. Attorney Driscoll presented the Board with a draft Termination of Declaration of Covenants, Conditions and Restrictions for the Ashley Farms Property Owners’ Association and asked the Board to consider the offer presented.

The Board thanked Attorney Driscoll for her time and public comment.

Board Consensus was reached to further discuss and review the matter and the scope of the request in a complete and full manner.

Madelyn Shermyer – 3771 Admire Road

Mrs. Shermyer is a Dover Township resident residing at 3771 Admire Road. Mrs. Shermyer voiced her opinions and support regarding Mrs. Oleson's PennState Extension presentation. Mrs. Shermyer attested to the importance of sustaining and enforcing the necessary Township ordinances that are currently in place that benefit and protect the community and the public as a whole.

Rhonda Sink – 3563 Kortni Drive

Ms. Sink is a Dover Township resident residing on 3563 Kortni Drive. Ms. Sink spoke regarding the Creekside Village presentation during this evening's meeting. Ms. Sink added how personally important it is to her that she would like to see the Township adopt and maintain their development.

ENGINEERS'S REPORT by Township Engineer Terry Myers

Review 2016 Water System Improvements – Final Plans and Specifications

Mr. Myers presented the Board with the final plans and specifications for the 2016 water system improvements. Mr. Myers included an Invitation to Bid for 2016 Water System Improvements and 2016 Water System Improvements Contract Schedule, Engineer's Project No. 1619.7.37.00. The final plans and specifications were reviewed with the Board of Supervisors. The current schedule anticipates opening bids prior to the September 26, 2016 Board meeting. Mr. Myers provided the Board with a tentative schedule and invitation to Bid for the upcoming projected Water System Improvements.

Motion by R. Stone and seconded by C. Richards for Approval to Advertise for Bid the 2016 Water System Improvements Projects Numbers 1, 2, 3, 4 and 5, as presented. **Passed** with 5 ayes

SOLICITOR'S REPORT by Attorney Charles Rausch

Discussion regarding Members 1st

Attorney Rausch provided updates regarding Members 1st Attorneys and the current Members 1st building. Members 1st Attorneys voiced concerns to Attorney Rausch regarding potential issues with the current setbacks of their building and how potential issues may arise pertaining to zoning matters, relating to the proposed acquisition of the road by the Township. Attorney Rausch stated that this is the current status on these matters and wanted to make the Board aware this evening.

MANAGER'S REPORT by Manager Laurel Oswalt

Discuss Resolution 2016-23 Addressing a Proposed County Storm Water Authority

Manager Oswalt informed the Board to consider the proposal before the York County Board of Commissioners to create a York County StormWater Authority. The Resolution sets forth the official position of the Township regarding the proposed creation of the York County StormWater Authority. The Resolution outlines continued support and collaboration among all York County Municipalities to address stormwater pollution and to implement attendant regulations imposed by various Federal and State Agencies.

At this point in time the Board collectively decided to table Resolution 2016-23 pending further discussion and further information on the status of this project.

Motion by C. Richards and seconded by S. Parthree to table Resolution 2016-23 Addressing a Proposed County StormWater Authority, as presented. **Passed** with 3 ayes by Parthree, Stefanowicz and Richards and 2 nays by Menges and Stone

Motion by C. Richards and seconded by R. Stone to Issue a Letter to the York County Board of Commissioners Regarding the Proposed StormWater Authority, to Obtain Further Detailed Information Regarding their Proposal, as presented. **Passed** with 5 ayes

Acceptance of Five Hundred Dollar (\$500.00) Bid for 2750 Genna Circle to Remove the Property from the Tax Claim Bureau Repository List

Manager Oswalt informed the Board of Supervisors of a request for a five hundred dollars (\$500.00) bid for 2750 Genna Circle to remove this property from the Tax Claim Bureau Repository List. The acceptance of this bid would place the property located at 2750 Genna Circle back on the tax rolls.

Motion by C. Richards and seconded by S. Parthree to Accept a Five Hundred Dollar (\$500.00) Bid for 2750 Genna Circle to Remove Property from the Tax Claim Bureau Repository List, as presented. **Passed** with 5 ayes

Approval of an Agreement with South Penn Code to Provide Sewage Enforcement Services to Dover Township

Manager Oswalt informed the Board that she has selected South Penn Code to provide Sewage Enforcement Officer services. A biography of the South Penn Code company and proposed South Penn Code contract for service was provided. Township Solicitor Attorney Charles Rausch and Manager Oswalt have reviewed the proposed contract for service and Manager Oswalt stated that the proposed contract is ready for the Board of Supervisor's approval.

Motion by C. Richards and seconded by R. Stone to approve an Agreement with South Penn Code to Provide Sewage Enforcement Services to Dover Township, as presented. **Passed** with 5 ayes

Appointment of Eric Swiger as the Alternate Dover Township Sewage Enforcement Officer

Manager Oswalt informed the Board that in addition to authorizing the South Penn Code contract for service, the Township will need to appoint Eric Swiger as the alternate Township Sewage Enforcement Officer for the remainder of 2016. Manager Oswalt added that in 2017, the Township will divide the Sewage Enforcement Officer and Sewage Enforcement Officer Alternate position between Eric Swiger and Keith Hunnings during the Township Reorganization meeting.

Motion by C. Richards and seconded by R. Stone to Appoint Eric Swiger as the Alternate Dover Township Sewage Enforcement Officer, as presented. **Passed** with 5 ayes

Discussion regarding Core Design Group, LLC's Proposal for the New Dover Township Public Works Facility – Proposal No. 2016. 0001.Q9

Manager Oswalt informed the Board; after recent meetings with Core Design Group, LLC, the Township has requested a proposal be prepared for discussion purposes. The proposal consists of a feasibility study for the project. After reviewing Core Design Group, LLC's proposal, it was collectively decided by the Board of Supervisors to move forward with and accept the Core Design Group, LLC's proposal for the new Dover Township Public Works Facility.

Motion by S. Stefanowicz and seconded by R. Stone to accept Core Design Group LLC's Proposal for the New Dover Township Public Works Facility, Proposal No. 2016. 0001.Q9, as presented. **Passed** with 5 ayes

Approval of Buchart Horn Proposal to Prepare a Grant Package to the Commonwealth Financing Authority for the North of the Borough Water Project

Pennsylvania's Commonwealth Financing Authority has just recently announced a new twenty-two million dollar (\$22,000,000.00) grant program to fund small water supply and sanitary system project upgrades. Eligible applicants include municipalities and municipal authorities. Buchart Horn has submitted a proposal for services associated with preparing of a Pennsylvania Small Water and Sewer grant application. The grant application will be for the water and sewer project referred to as the North of the Borough Project. Questions arose as to the details pertaining to the scope of services being provided for this work from Buchart Horn.

Motion by S. Stefanowicz and seconded by R. Stone to Table the Approval of Buchart Horn's Proposal to Prepare a Grant Package to the Commonwealth Financing Authority for the North of the Borough Water Project, as presented. **Passed** with 5 ayes

Approval of Kinsley Construction, Inc. 2016 Paving Contract Change Order No. 1

The Approval of Kinsley Construction, Inc. 2016 Paving Contract Change Order No. 1 is for a reduction in the contract price in the amount of five thousand two hundred thirty-two dollars and sixty-nine cents (\$5,232.69).

Motion by C. Richards and seconded by R. Stone to Approve the Kinsley Construction, Inc.

2016 Paving Contract Change Order No. 1, as presented. **Passed** with 5 ayes

Approval of Temporary Closure of York County Bridge 180, Cardinal Lane

The approval of the temporary closure of York County Bridge 180, Cardinal Lane, is being sought due to the need for the maintenance of concrete deck repairs, guiderail updates and paving.

Motion by R. Stone and seconded by C. Richards to Approve Temporary Closure of York County Bridge 180, Cardinal Lane, as presented. **Passed** with 5 ayes

Approval of Final Payment for Progressive Pipeline Management

The approval of the Final Payment for Progressive Pipeline Management is being sought for the sanitary sewer relining and manhole rehabilitation. Phase II is complete and substantial completion was issued May 16, 2016.

Motion by R. Stone and seconded by S. Stefanowicz to Approve the Final Payment for Progressive Pipeline Management, as presented. **Passed** with 5 ayes

Approval to Conduct Engineering and Traffic Studies, Advertise Ordinance and Post Speed Restriction and Stop Signs within Faire Wynd Development

Motion by C. Richards and seconded by R. Stone to Approve the Performance of Engineering and Traffic Studies and Advertisement of an Ordinance to Post Speed Restrictions and Stop Signs within Faire Wynd Development, as presented. **Passed** with 5 ayes

Discussion on Fox Run Road Bridge Number 366 and Danielle Drive and Willapa Drive's Stream Restoration Projects

Discussions were held regarding the engineer for the Fox Run Road Bridge Number 366. Additionally, the same engineer is handling the Danielle and Willapa Drive's Stream Restoration Projects. Permitting and engineering need completed to use County funds for these projects. Due to these unforeseen issues pertaining to the contractor and the engineer, these projects have been hindered. It was stated that the County is aware of the current issues. The current contractor submitted a proposal and the proposal was accepted. This was only a proposal and nothing formal followed to execute a formal contract for services. It was suggested to have the Township complete as much as feasible by the Township to lessen the overall project costs, then solicit for services to complete the remainder of the work.

Chair Menges stated that the Township will move that by the end of the current week; if the Township Manager is not satisfied with any actions in the manner of the current contractor following thru with the scope of work and completing the project within a timely fashion, that both of the current proposals are then rescinded and that action be taken to solicit further proposals from other contractors to substitute in the needs of the Township.

Motion by M. Menges and seconded by S. Parthree to Approve upon the Township Manager's determination, within the time specified herein, both of the current proposals are then rescinded and that action be taken to solicit further proposals from other contractors to substitute in the needs of the Township, as presented. **Passed** with 5 ayes

Discussion Regarding the Community Center Emergency Generator

Township staff received a proposal to power the entire Community Center Building at a cost of seventy thousand dollars (\$70,000.00). This is significantly higher than the forty thousand dollars (\$40,000.00) budgeted amount total.

Board consensus was reached to further research and obtain more cost proposals for the purchase of an emergency generator for the Community Center.

OLD BUSINESS

Discussion Regarding Possible Amendments to the Dover Township Ordinances Concerning the Parking of Motor Homes on Township Streets

In prior meetings; residents from Harmony Heights and residents from Rock Creek Drive; have made complaints and voiced concerns to the Board regarding the parking of motor homes on Township roadways. Supplemental information from the Township Ordinance and the Pennsylvania Vehicle Code were supplied to the Board for furthering knowledge on this matter.

Attorney Rausch stated issue really seems to be a matter of police enforcement.

Chair Menges stated that after further examination, the need for possible amendments to the Dover Township ordinances concerning the parking of motor homes on Township streets is not necessary and is not a Township enforceable issue. Chair Menges referenced the Purdon's Pennsylvania Statutes and Consolidated Statutes Title 75 Pa. C.S.A. Vehicles (Refs & Annos) § 3351 and § 3352. These sections reference the removal of a vehicle by or at direction of police and stopping, standing and parking outside business and residence districts. Chair Menges agreed to discuss this matter with the Police Chief to determine the police department's position on this matter.

ADDITIONAL COMMENTS FROM THE BOARD

C. Richards congratulated the Dover Township Fire Department on the awarding of a total of nine awards at the 2016 York County Fire Convention.

S. Parthree informed Manager Oswalt that he would like to request a tour of all of the Township recreation facilities. R. Stone added that he would like to partake in this tour as well. Manager Oswalt stated that she will have Chalet Harris; Township Recreation Director, contact both interested Supervisors to schedule a date accordingly.

S. Stefanowicz informed the Board that the Watershed Alliance of York, Inc. will be holding a Watershed Weekend September 24th and 25th, 2016. An open house will be held at the Dover

Township Waste Water Treatment Plant in support of the 2016 Watershed Weekend.

R. Stone voiced concerns regarding the services with the current Township third party inspection agency. The Township currently contracts with Middle Department Inspection Agency for third party building inspections. R. Stone stated that he has had a negative experience with the current inspector and the format of the building inspection results that he received. R. Stone would like to have these issues addressed to prevent further issues and to be more helpful on a service level for the well-being of the people of the Township.

Chair Menges informed the Board that during the last Northern Regional Police Department Commission meeting, it was voted to obtain additional protection equipment for the officers in light of the recent spikes in attacks on police. Chair Menges added that the Northern Regional Police Department had brought forth a question regarding an invoice that the Township had recently issued to recoup funds for material that was used and work that was completed at the Regional's facilities. It was made known, that past material and work had not been billed to the Northern Regional Police Department, thus now generating a bill for the material utilized and services rendered. Due to the Northern Regional Police Department not being aware of a bill for services in prior years, the Board collectively decided not to bill Northern Regional Police Department for the unforeseen costs of the herein stated work. It was decided that moving forward, fees will be charged, as deemed necessary, to entities utilizing Township materials.

Motion by S. Stefanowicz and seconded by C. Richards to Waive the Fees for the Material Utilized and Work Performed for the Northern Regional Police Department, as herein stated, as presented. **Passed** with 5 ayes

PUBLIC COMMENT

None to note.

With no further business, the meeting was adjourned by Chair Menges at 9:55 PM. At the conclusion of the August 22, 2016 Board of Supervisors' meeting, the Board proceeded into an Executive Session regarding a potential matter of litigation involving the Creekside Village development.

Respectfully submitted by: _____
Tiffany Strine, Recording Secretary