

DOVER TOWNSHIP
BOARD OF SUPERVISORS MEETING
MEETING MINUTES
OCTOBER 28TH, 2019

The Dover Township Board of Supervisors' Meeting for Monday, October 28th, 2019, was called to order at 7:00 PM by Chairperson Stephen Stefanowicz in the Meeting Room of the Dover Township Municipal Building. Supervisors present were Robert Stone, Stephen Parthree, Michael Cashman and Charles Richards. Township Representatives in attendance were John Baranski, Jr.; Township Solicitor, Terry Myers; Township Engineer, Cory McCoy; C.S. Davidson, Laurel Oswalt, Township Manager, John McLucas, Township Zoning Officer; Michael Fleming; Township Public Works Director; Township Receptionist, Katina Wagner and Tiffany Strine; Township Secretary. A court appointed stenographer was present. There were five citizens present. This meeting is being recorded for the purpose of minutes only.

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

Chairman Stefanowicz stated that an executive session was held prior to the beginning of this evening's Board of Supervisors meeting for the purposes of discussing potential litigation.

A Public Hearing on the Intent to Adopt an Amendment to the Zoning Ordinance, Dover Township Ordinance No. 2019-03 Wireless Ordinance was held.

A Dover Township Zoning Hearing on the Intent to Adopt an Amendment to the Zoning Ordinance regarding Wireless Communications was opened by Chairman Stefanowicz at 7:02 PM in the meeting room of the Dover Township Municipal Offices Building.

Attorney Rausch stated that this Zoning Hearing as well as the proposed Ordinance has been advertised in the York Dispatch and the York Daily Record and appears on the agenda of the Board of Supervisors Meeting for consideration. Attorney Charles Rausch recognized the presence of each Board of Supervisors member and the presence of a Court Appointed Stenographer. The proposed ordinance is in regards to wireless facilities, the current Dover Township Ordinance pertains to large cell towers and since the adoption of the current wireless ordinance, there has been tremendous technological progress made. At this time, due to the advancement in technology, there are now small cell wireless towers as well. The purpose of the proposed ordinance is to combine the large cell tower regulations with the newer small cell tower regulations. The regulations mirror what the FCC requires, Dover Township has to mirror what the FCC requires in terms of sighting, costs, locations and so forth. The proposed ordinance will help to regulate the manners in which small cell wireless towers are implemented.

The York County Planning Commission recommended approval of the proposed Amendment to the Dover Township Zoning Ordinance, all being subject to the Federal regulations.

The Dover Township Planning Commission recommended approval of the proposed Amendment

to the Dover Township Zoning Ordinance as well.

Attorney Rausch stated that any public comments or opinions from the Board of Supervisors and the public present are welcomed during this time.

With no comments from the public and no further business, Chairman Stefanowicz concluded the public Zoning Hearing at 7:06 PM.

APPROVAL OF THE BOARD OF SUPERVISORS' MEETING MINUTES FOR SEPTEMBER 23RD, 2019

Dover Township Engineer Mr. Terry Myers stated that a correction be made to the Board of Supervisors' Meeting Minutes for September 23rd, 2019, page 3, paragraph 2 with regards to the Dover Highlands request for modifications portion.

Motion by R. Stone and seconded by M. Cashman to approve the Board of Supervisors' Meeting Minutes for September 23rd, 2019, as amended, as presented. **Passed** with 5 ayes

APPROVAL OF THE BOARD OF SUPERVISORS' BUDGET WORK SESSION MEETING MINUTES FOR OCTOBER 14TH, 2019

Motion by R. Stone and seconded by M. Cashman to approve the Board of Supervisors' Budget Work Session Meeting Minutes for October 14th, 2019, as presented. **Passed** with 5 ayes

TREASURER'S REPORT

Approval of Current Expenditures

Motion by M. Cashman and seconded by C. Richards to approve the warrant total for October 5th, 2019, in the amount of \$113,101.11. **Passed** with 5 ayes

Motion by M. Cashman and seconded by C. Richards to approve the warrant total for October 14th, 2019, in the amount of \$537,368.72 as presented. **Passed** with 5 ayes

Motion by M. Cashman and seconded by C. Richards to approve the warrant total for October 14th, 2019, in the amount of \$64,757.34 as presented. **Passed** with 5 ayes

Motion by M. Cashman and seconded by C. Richards to approve the warrant total for October 28th, 2019, in the amount of \$203,300.45 as presented. **Passed** with 5 ayes

Motion by M. Cashman and seconded by C. Richards to approve the warrant total for October 28th, 2019, in the amount of \$621.98 as presented. **Passed** with 5 ayes

Motion by M. Cashman and seconded by C. Richards to approve the warrant total for October 28th, 2019, in the amount of \$12,249.58 (2018 BOND) as presented. **Passed** with 5 ayes

PUBLIC COMMENT

None to note.

SOLICITOR'S REPORT by Township Solicitor Charles Rausch

Approve Ordinance No. 2019-03 Dover Township Wireless Ordinance

Motion by R. Stone and seconded by M. Cashman to approve Ordinance No. 2019-03 Dover Township Wireless Ordinance, as presented. **Passed** with 5 ayes

ENGINEER'S REPORT by Township Engineer Terry Myers

Approve Fox Run Interceptor Change Order No. 1 and Application for Payment No. 1

T. Myers stated that all permits have been received for the Fox Run Interceptor Project. A Notice to Proceed will now be issued to Anrich, Inc. for the sewer installation and will be dated for November 11th, 2019. The noted contract time is for a period of one-hundred and twenty (120) days.

T. Myers stated that a Contract Changer Order will now need to be made to allow the Anrich, Inc. Contractor the one-hundred and twenty (120) day period, from the date of the issued Notice to Proceed.

Motion by R. Stone and seconded by M. Cashman to approve the Contract Change Order No. 1 for the Fox Run Interceptor Replacement for Anrich, Inc., as presented. **Passed** with 5 ayes

T. Myers stated that the Fox Run Interceptor Application for Payment No. 1 is on the agenda for approval this evening. T. Myers stated that the Anrich, Inc. Contractor, on his first Application for Payment, is entitled to apply for mobilization to cover his bonding and survey costs. The first Application for Payment is able to cover all costs that Anrich, Inc. has up to date. Anrich, Inc. is entitled to the Mobilization cost in the amount of twenty-seven thousand two hundred fifty-five dollars (\$27,255.00) with a retainage of ten percent. T. Myers is recommending the following amount, minus retainage, be approved in the amount of \$24, 529.50.

Motion by R. Stone and seconded by C. Richards to approve the Application for Payment No. 1 for the Fox Run Interceptor Replacement for Anrich, Inc. in the amount of \$24,529.50, as presented. **Passed** with 5 ayes

Multi-Modal Transportation Grant

T. Myers provide an update to the full Board of Supervisors regarding the Multi-Modal Transportation Grant. T. Myers stated that after further review, himself and Manager Oswald have decided not to pursue the previously discussed Multi-Modal Transportation Grant. T. Myers and Manager Oswald agreed that there are too many unanswered questions at this time and would like to work with PENNDOT over the course of the next year to possibly apply for the grant at a later time.

ZONING OFFICER'S REPORT by Township Zoning Officer John McLucas**Consideration of Plan 19-3, Heritage Senior Center, Commercial District, Corner of Carlisle Road and Donwood Drive**

Mr. Scott T. DeBell, P.E. with Site Design Concepts, Inc. presented Plan 19-3, Heritage Senior Center, Commercial District, Corner of Carlisle Road and Donwood Drive. Mr. DeBell reviewed the overall outline of Plan 19-3, Heritage Senior Center, Preliminary/Final Land Development Plan, Engineer's Project No. 1619.3.08.28.

The following waiver requests are being made: 1.) §22-501: Preliminary Plan, 2.) §22-502.4: Traffic Impact Study, 3.) §704.B: Street Improvements along Carlisle Road, 4.) §704.B: Street Improvements along Donwood Drive, 5.) §704.B: Street Improvements along Country Drive, 6.) §22-701.1 Sidewalks along Carlisle Road.

Motion by S. Parthree and seconded by C. Richards to approve Plan 19-3, Heritage Senior Center, Commercial District, Preliminary/Final Land Development Plan, Engineer's Project No. 1619.3.08.28, granting all requested waivers. **Passed** with 5 ayes

The following Subdivision and Land Development Ordinance comments are being requested: 1.) Prior to final plan approval, a disk in an electronic format compatible with the Township GIS System, should be provided. (§22-501.2.A) 2.) The Registered Engineer's and Surveyor's Seal, signature and date shall be added to the land development plan. (§22-501.2.F), 3.) All legal and/or equitable Owners' notarized signatures must be added to the plan certifying concurrence with the plan. (§22-501.2.H) 4.) The applicant shall include the approval date for all waivers on the plans. (§22-501.2.LL) 5.) Sewage Planning Module approval shall be obtained from PA DEP. (§22-502.2). 7.) The applicant shall provide Public Improvement Security for the proposed land development. (§22-602.1). 8.) The applicant shall obtain Township Stormwater Management Approval. (§22-602.3). 9.) The applicant shall obtain E&S and NPDES approval from the York County Conservation District. (§22-602.4). 11.) The applicant shall address all comments made by the Township Public Works Director. 12.) Improve radius at Donwood and Country to 35 Feet and move the sidewalk back so that the back of the sidewalk coincides with the street right of way.

Motion by M. Cashman and seconded by R. Stone to conditionally approve Plan 19-3, Heritage Senior Center, Commercial District, Preliminary/Final Land Development Plan, Engineer's Project No. 1619.3.08.28, including all Subdivision and Land Development Ordinance conditions stated above. **Passed** with 5 ayes

Consideration of Plan 19-5, Dover YMCA Land Development Plan, Palomino Road, R3 District

Mr. Scott T. DeBell, P.E. with Site Design Concepts, Inc. presented Plan 19-5, Dover YMCA Land Development Plan, Palomino Road, R3 District. Mr. DeBell reviewed the overall outline of Plan 19-5, Dover YMCA Final Land Development Plan, Engineer's Project No. 1619.3.25.09.

The following waiver requests are being made: 1.) §704.B: Street Improvements along Palomino Road, 2.) §704.B: Street Improvements along Fox Run Road, 3.) §22-710.1 Sidewalks along Palomino Road, 4.) §22-710.1 Sidewalks along Fox Run Road, 5.) §22-711.1 Curbs along Palomino Road, 6.) §22-711.1 Curbs along Fox Run Road.

Motion by S. Parthree and seconded by M. Cashman to approve Plan 19-5, Dover YMCA Final Land Development Plan, Engineer's Project No. 1619.3.25.09, granting all requested waivers. **Passed** with 5 ayes

The following Subdivision and Land Development Ordinance comments are being requested: 1.) Prior to final plan approval, a disk in an electronic format compatible with the Township GIS System, should be provided. (§22-501.2.A) 2.) The Registered Engineer's and Surveyor's Seal, signature and date shall be added to the land development plan. (§22-501.2.F), 3.) All legal and/or equitable Owners' notarized signatures must be added to the plan certifying concurrence with the plan. (§22-501.2.H) 4.) The proposed Access, Parking Easement for the benefit of Parcel 149. D must be approved in conjunction with final plan approval (§22-501.2.M). 5.) The applicant shall include the approval date for all waivers on the plans (§22-501.2.LL). 7.) The applicant shall provide Public Improvement Security for the proposed land development (§22-602.1). 8.) The applicant shall obtain Township Stormwater Management approval (§22-602.3). 9.) The applicant shall obtain E&S and NPDES approval from the York County Conservation District (§22-602.4). 11.) Approval of the plans, in the form of a letter, shall be obtained from Texas Eastern. 12.) Pedestrian walkway connectivity between YMCA improvements and Rocky Road.

Motion by M. Cashman and seconded by R. Stone to conditionally approve Plan 19-5, Dover YMCA Final Land Development Plan, Engineer's Project No. 1619.3.25.09, including all Subdivision and Land Development Ordinance conditions stated above. **Passed** with 5 ayes

MANAGER'S REPORT by Township Manager Laurel Oswalt

Approval of Resolution No. 2019-22 Recognizing Carol Kauffman for Her Service on the Dover Township Planning Commission

Motion by S. Parthree and seconded by R. Stone to approval Resolution No. 2019-22 Recognizing Carol Kauffman for her service on the Dover Township Planning Commission, as presented. **Passed** with 5 ayes

Approval to Advertise the 2020 Budget

Motion by R. Stone and seconded by M. Cashman to approve to advertise the 2020 Budget, as presented. **Passed** with 5 ayes

Discuss Glen Gery 25 Acre Tract Donation

A 25 Acre Tract of land was donated in August of 2006 when a settlement was reached between Dover Township and Glen Gery. Dover Township was never able to obtain access to the 25 acre tract of land because the land has no road frontage or access road. The 25 acre tract is

located off of East Canal Road, behind the Northern York County Regional Police Department. The 25-acre tract of land needs road access in order for the proposed land to be subdivided. A solar company has recently inquired within the same location, the solar company may be looking to gain access to a separate property of Glen Gery. In discussions with the solar company, the solar company is looking into several properties located around the Glen Gery property. The solar company project may make access to the 25-acre tract of land that has been donated to Dover Township viable. Manager Oswalt stated that she would like to inquire with the Board of Supervisors, if the Board of Supervisors would like to pursue the development of the land for recreational space and engage in further discussions on acquiring access with the solar company and the land from Glen Gery.

Board consensus was reached, and it was collectively determined to move forward in working with the solar company to gain the access that Dover Township needs in order to acquire possession of the proposed, donated Glen Gery 25-acre tract.

Approval of Mark Miller's Application for Dover Township Planning Commission Alternate Position

Motion by S. Parthree and seconded by C. Richards to approve Mark Miller's application for the Dover Township Planning Commission Alternate Position, as presented. **Passed** with 5 ayes

Public Works Director's Report

Discuss 3038 Honey Run Drive, Streambank Stabilization Project, Reject Bids that were Opened on September 23rd, 2019

M. Fleming informed the Board of Supervisors that the proposals for the 3083 Honey Run Drive Streambank Stabilization Project obtained were two and a half times higher than the amount estimated by the USDA and PA DEP. The USDA and PA DEP is paying seventy-five percent (75%) and twenty-five percent (25%) to complete the project and has asked Dover Township to rebid the project.

Motion by S. Parthree and seconded by R. Stone to reject the bids for the 3083 Honey Run Drive, Streambank Stabilization Project, that were opened on September 23rd, 2019, as presented. **Passed** with 5 ayes

Acknowledgement of USDA and DEP Request to Rebid the 3083 Honey Run Drive, Streambank Stabilization Project

M. Fleming asked the Board of Supervisors to acknowledge that the USDA and the PA DEP are requesting Dover Township to rebid the 3083 Honey Run Drive, Streambank Stabilization Project.

Motion by C. Richards and seconded by M. Cashman to acknowledge that the USDA and the PA DEP are requesting Dover Township to rebid the 3083 Honey Run Drive, Streambank Stabilization Project, as presented. **Passed** with 5 ayes

Approval to Advertise Bids 3083 Honey Run Drive, Streambank Stabilization Project

Motion by C. Richards and seconded by M. Cashman to approve to advertise bids for 3083 Honey Run Drive, Streambank Stabilization Project, as presented. **Passed** with 5 ayes

Approval of ECI Application No. 10 for Release of Final Retainage in the Amount of \$48,320.00

Motion by R. Stone and seconded by S. Parthree to approve ECI Application No. 10 for Release of Final Retainage in the amount of \$48,320.00, as presented. **Passed** with 5 ayes

Approval of Midstate Mechanical Application No.14 for Release of Final Retainage \$9,212.66

Motion by R. Stone and seconded by M. Cashman to approve MidState Mechanical Application No. 14 for Release of Final Retainage in the amount of \$9,212.66, as presented. **Passed** with 5 ayes

Discuss 2538 Anita Drive

M. Fleming stated that the resident residing at 2538 Anita Drive is requesting that the Dover Township Board of Supervisors approve Dover Township staff to fix sink holes in his rear yard. M. Fleming stated that himself and C. Richards have visited the site location of 2538 Anita Drive.

C. Richards stated that there is no documentation with Dover Township pertaining to the proposed information regarding a drainage easement for the pipe located on 2538 Anita Drive. C. Richards stated that the construction that previously occurred in the area of 2538 Anita Drive did not follow Mayfield subdivision plan dated January 12, 1960.

M. Fleming added that aerial photographs from the year 1968 appear to show an open channel after the homes were originally built. M. Fleming added that holes in the yard appear to be where the transition from concrete to metal pipe takes place.

Board consensus was reached, and it was collectively determined to look into the matter of 2538 Anita Drive with regards to researching past Dover Township records regarding this location of concern.

Approve Emergency Repair of Electric Services at the Dover Community Park

Motion by S. Parthree and seconded by M. Cashman to approve emergency repairs of electric services at the Dover Community Park, as presented. **Passed** with 5 ayes

MS4 Update

M. Fleming stated that the Dover Township Annual MS4 Report has been submitted by the annual deadline.

Old Business**Fox Run Road Curve**

M. Fleming stated that larger signs have been installed within the area of concern on Fox Run Road. Curve and chevron signage with reflective stripes have been put in place within the area of concern on Fox Run Road.

M. Cashman stated that he will inquire with the Northern York County Regional Police Department to address concerns of speeding in the location of the Fox Run Road curve.

Nursery Road

M. Fleming stated that the Dover Township Highway Crew has replaced various stormwater pipes along Nursery Road that were of previous resident concern.

COMMENTS FROM THE BOARD

R. Stone – R. Stone stated that he has met the newly hired Dover Township employee; Mr. Christian Jordan, whom is the new Wastewater Treatment Plant Assistant Superintendent. R. Stone stated that he is happy to have another great member join the Dover Township team.

M. Cashman – M. Cashman stated that Chief Bentzel's last working day will be Friday, November 1st, 2019. M. Cashman stated that Deputy Chief Lash will then be the new Chief of Police.

The Board of Supervisors collectively decided to recognize Chief Bentzel upon his formal retirement date.

Chairman Stefanowicz – Dover Township's Halloween Trunk or Treat Event was recently held and was a great success. An estimated one thousand (1,000) individuals attended the event. Chairman Stefanowicz also commended Dover Township staff that took part in planting the Dover Township's newly installed rain gardens.

PUBLIC COMMENT

With no further business, the meeting was adjourned by Chairman Stefanowicz at 9:21 PM.

Respectfully submitted by:

Tiffany Strine, Recording Township Secretary