

**DOVER TOWNSHIP
BOARD OF SUPERVISORS
BOARD MEETING MINUTES
AUGUST 24TH, 2020**

The Dover Township Board of Supervisors' Meeting for Monday, August 24th, 2020, was called to order at 7:00 PM by Vice-Chairperson Robert Stone in the Dover Township Municipal Building. Supervisors present were Robert Stone, Stephen Parthree and Charles Richards. Supervisor Michael Cashman participated virtually. Chairman Stephen Stefanowicz was absent with prior notice. Other Township Representatives in attendance were Laurel Oswalt, Township Manager; Michael Fleming, Township Public Works Director; John McLucas; Township Zoning Officer, Terry Myers, Township Engineer; Cory McCoy, C.S. Davidson and Tiffany Strine, Township Secretary and Solicitor Charles Rausch with Blakey, Yost, Bupp and Rausch. There were three citizens present. This meeting is being recorded for the purpose of minutes only.

APPROVAL OF THE BOARD OF SUPERVISORS' WORK SESSION MEETING MINUTES FOR AUGUST 10TH, 2020

Motion by S. Parthree and seconded by C. Richards to approve the Board of Supervisors' Work Session Meeting Minutes for August 10th, 2020, as presented. **Passed** with 4 ayes

APPROVAL OF THE BOARD OF SUPERVISORS' MEETING MINUTES FOR AUGUST 10TH, 2020

Motion by S. Parthree and seconded by C. Richards to approve the Board of Supervisors' Meeting Minutes for August 10th, 2020. **Passed** with 4 ayes

TREASURER'S REPORT

Approval of Current Expenditures

Motion by C. Richards and seconded by S. Parthree to approve the warrant total for August 24th, 2020, in the amount of \$332,530.71 (2020 Expenses Warrant) as presented. **Passed** with 4 ayes

INFORMATION ON EVENTS AND LOCAL ANNOUNCEMENTS

Manager Oswalt informed the Board of Supervisors and public present that Dover Township will be holding a Dinner and a Movie Night in the Park. August 28th, 2020, 6:00 PM at Brookside Park. The August 28th, 2020 showing is the movie Toy Story 4.

C. Richards noted that Dover Area Schools will begin holding classes on September 8th, 2020 and that seventy-two (72%) of students have chosen to return to in person learning.

PUBLIC COMMENT

Ms. Michelle Fitz – Dover Township Resident

Ms. Michelle Fitz is a Dover Township resident residing at 3111 Galaxy Road. Ms. Fitz is present this evening to request a fencing agreement. Ms. Fitz stated that she has recently purchased her new home at 3111 Galaxy Road and that she had applied for a fence permit to replace an existing fence located on the property of 3111 Galaxy Road. Ms. Fitz received a permit and installed a new fence. Ms. Fitz was informed of a sewer easement on the property and that her fence had to be removed from her property. Ms. Fitz stated a neighbor opposed the installation of a fence. At a later date, a letter was issued to all residents within the area that all fences and obstructions located within the sewer right of way must be removed. Ms. Fitz stated that her realtor and herself has been in conversations with the Dover Township Zoning Officer Mr. John McLucas.

J. McLucas qualified that Ms. Fitz did in fact apply for a fence permit. J. McLucas added that several notes were made on the fence permit application and the Dover Township permitting office brought this matter to my Ms. Fitz attention prior to the issuance of a permit.

Ms. Fitz stated that during the installation of her fence, Ms. Fitz' contractor had inquired upon the location for installation of the fence. Ms. Fitz stated that her fence contractor contacted Dover Township and spoke with an individual that Ms. Fitz stated had informed her contractor that she could install the fence in the easement area. The area in question was not the area specified and approved upon Ms. Fitz's fence permit application.

Ms. Fitz qualified that she had visited a recent Board of Supervisors meeting and informed the Board of Supervisors at that time that she was going to have the fence removed from the necessary sewer right of way. Ms. Fitz stated that after her attendance at the recent Board of Supervisors meeting, Ms. Fitz decided to have her fence altered with a large gate. Ms. Fitz stated that she installed a large gate so that anyone who needs to access the sewer right of way can access the said right of way at any given time.

J. McLucas stated that Ms. Fitz was informed that there is an existing sewer right of way with an easement located in her yard and was given a copy of the plan showing the easement and the easement was marked by the Dover Township sewer crew. J. McLucas stated that he is unaware of any contact from Ms. Fitz's contractor and has no record or knowledge of an approval being given regarding a difference in the installation area specified on Ms. Fitz's permit application. J. McLucas stated that Ms. Fitz installed a fence over an existing sewer right of way and easement and had been notified on multiple attempts not to do so.

C. Richards inquired if there are any other properties within the same location that have fences in Ms. Fitz neighborhood?

J. McLucas stated that when the Dover Township sewer crews went out to mark the necessary lines, the sewer crew then informed proper personnel within Dover Township. At that time, all homeowners within this location were notified of the sewer right of way and easement and were notified to remove all obstructions, including fences and sheds.

M. Fleming added that a Dover Township well is located less than one thousand feet away from the sewer location and sewer right of way in question. M. Fleming stated that a fence or

obstruction within this location could prove hazardous because a sewer issue could potentially go unnoticed due to a fence blocking view within this location.

R. Stone stated that a Dover Township Fencing Agreement would allow for the demolition of a fence in the necessary right of way; however, many individuals have removed their fences, buildings and said obstructions from the stated sewer right of way and easement. R. Stone stated that allowing one individual to retain their fence would not prove equitable. R. Stone stated that Ms. Fitz was notified that the fence was not to be built within the current location.

M. Fleming stated that he retains concerns regarding the nearby location of Dover Township well no.10 and any obstruction within the nearby sewer right of way and easement that must be maintained in order to ensure proper care and health for the public.

M. Cashman stated that if other community neighbors were informed to remove obstructions from the area in question, then he does not feel that a Dover Township Fencing Agreement should be granted. M. Cashman stated that it sounds to him as though the area in question should most certainly be monitored for leaks and by allowing the installation of a fence whether a gate or not, it would be difficult to visually see a malfunction or a hazardous leak. M. Cashman stated that if Ms. Fitz was informed that a fence should not be placed in the sewer right of way and easement, then the fence should not be in such location.

J. McLucas stated that an extension will be granted, for the timely removal of Ms. Fitz' current fence, until September 15th, 2020.

R. Stone inquired as to if any Dover Township Board of Supervisor would like to make a motion to grant Ms. Fitz a Dover Township Fencing Waiver Agreement.

No motion was made.

R. Stone stated hearing none, the notification of the removal of Ms. Fitz's fence from her property will stand and removal must be made by September 15th, 2020.

Ms. Fitz inquired if she could relocate her fence on her property, outside of the sewer right of way and easement?

The Board of Supervisors collectively agreed that Ms. Fitz can retain her fence if the fence is relocated to the approved area, outside of the Dover Township sewer right of way and easement location.

ENGINEER'S REPORT by Township Engineer Terry Myers

Approval of Fox Run Interceptor Change Order No. 5 in the Amount of \$40,202.00

Motion by C. Richards and seconded by S. Parthree to approve Fox Run Interceptor Change Order No. 5 in the amount of \$40,202.00, as presented. **Passed** with 4 ayes

Approval of Fox Run Interceptor Application for Payment No. 6 in the Amount of \$83,448.85

T. Myers stated that the Fox Run Interceptor Application for Payment No. 6 in the Amount of \$83,448.85 pays for the \$40,000.00 of extra work accrued within the project. The inclusion of mobilization, grading and seeding, site excavation, placement of fill and sewer erosion and sedimentation control. T. Myers stated that Anrich needs to revisit the site to complete some site work. Due to the outstanding work, Dover Township can retain a portion of the cost of the outstanding work. T. Myers made suggestion to hold half of the contractors grading and seeding cost until the project's completion, as designated within the project contract agreements. T. Myers stated the calculations of the amount to retain equates to \$9,750.00 until the completion of the designated work, to Anrich for the Fox Run Interceptor project.

Motion by C. Richards and seconded by S. Parthree to approve Fox Run Interceptor Application for Payment No. 6 in the amount of \$83,448.85 minus a retainage of \$9,750.00, as presented.

Passed with 4 ayes

ZONING OFFICER'S REPORT by Township Zoning Officer John McLucas

None to note.

MANAGER'S REPORT by Township Manager Laurel Oswald

None to note.

PUBLIC WORK DIRECTORS REPORT by Public Works Director Michael Fleming

Nursery Road Update

M. Fleming stated that himself and Dover Township Supervisor C. Richards met with the District Justice and the Northern Regional Police Department regarding matters of bridges with weight restrictions and necessary enforcement. Matters concerning the lack of means to enforce large truck traffic weight restrictions were addressed. Nursery Road and Butter Road large truck traffic concerns were addressed. Discussions regarding the implementation of axel restrictions were held.

M. Fleming stated that from this point forward, a traffic study should be done regarding the implementation of an enforceable axel restriction on both Nursery Road and Butter Road.

M. Fleming inquired if there should also be a traffic study performed regarding the No Left Turn Lane signage out of the local Turkey Hill Mini Mart located near Emig Mill Road. There is currently no traffic study that has been performed regarding the No Left Turn Lane signage; therefore, the sign is not enforceable.

C. Richards stated that to make the No Left Turn Lane signage at Emig Mill Road enforceable, the Township should pursue the necessary Traffic Study for the location.

Motion by C. Richards and seconded by S. Parthree to approve Pennoni Engineering to engineer for a Traffic Study for both Nursery Road and Butter Road as well as the second Traffic Study for Emig Mill Road, as presented. **Passed** with 4 ayes

MS4 PERMIT UPDATE

M. Fleming stated that the Annual MS4 Report is currently being worked on and will be submitted to the Pennsylvania Department of Environmental Protection by the end of September.

OLD BUSINESS**2020 Joint Comprehensive Plan**

None.

Dover Highlands, L.P. Agreement

Manager Oswalt stated that the full Board was provided a newly amended draft of the Dover Highlands, L.P. Agreement. Changes have been made by Attorney Stacey MacNeal as a result of a prior Board of Supervisors meeting and now include Dover Township Solicitor C. Rausch's amendments and additions, set forth by the Board of Supervisors, as well.

Motion by S. Parthree and seconded by C. Richards to approve the Dover Highlands, L.P. Agreement, August 14th, 2020 amended version, as presented. **Passed** with 4 ayes

COMMENTS FROM THE BOARD

M. Cashman – M. Cashman stated that Northern York County Regional Police Department provided a proposed budget, major line items are still being discussed. A 0.53 percent increase is being proposed for the upcoming year 2021. Chief Lash issued a formal letter of proposal to Northeastern Regional Police Department regarding services for their member municipalities. Evaluations on the Northern Regional Police Department as well as York Area Regional Police Departments will most likely be done by Northeastern Regional Police Department.

PUBLIC COMMENT

None.

With no further business, the meeting was adjourned by Vice-Chairman Stone at 8:01 PM.

Respectfully submitted by: _____
Tiffany Strine, Recording Township Secretary