

**DOVER TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES**

December 14th, 2020

The Dover Township Board of Supervisors' Meeting for Monday, December 14th, 2020, was called to order at 7:00 PM by Chairperson Stephen Stefanowicz by means of a virtual meeting. Supervisors present were Stephen Parthree, Michael Cashman, Robert Stone and Charles Richards. Other Township Representatives in attendance were Laurel Oswalt, Township Manager; John McLucas, Township Zoning Officer; Michael Fleming, Township Public Works Director; Terry Myers, Township Engineer; and Solicitor Charles Rausch with Blakey, Yost, Bupp & Rausch. There were four citizens present. This meeting is being recorded for the purpose of minutes only.

APPROVAL OF THE BOARD OF SUPERVISORS' MEETING MINUTES FOR NOVEMBER 23RD, 2020

Motion by S. Parthree and seconded by C. Richards to approve the Board of Supervisors' Meeting Minutes for November 23rd, 2020. **Passed** with 5 ayes

TREASURER'S REPORT

Approval of Current Expenditures

Motion by M. Cashman and seconded by S. Parthree to approve the warrant total for December 2nd, 2020, in the amount of \$322,066.67 (2020 Expenses Warrant) as presented. **Passed** with 5 ayes

Motion by M. Cashman and seconded by S. Parthree to approve the warrant total for December 14th, 2020, in the amount of \$106,095.34 (2020 Expenses Warrant) as presented. **Passed** with 5 ayes

PUBLIC COMMENT

Mr. Dave Erney – To Discuss a Fire Departments Dover Township Station 9 and Dover Borough Station 6

Mr. Erney is a Dover Township resident residing at 5761 Old Carlisle Road in Dover Township. Mr. Erney qualified that he is a retired member of the local fire department and added that he is a lifelong resident. Mr. Erney voiced concern regarding the lack of a merger between the Dover Township Volunteer Fire Department and the Dover Borough Fire Department. Mr. Erney feels as though a merger should strongly be considered and that reconsideration should be given to the large amount of money being expended on a facility that may not later be utilized for both departments as a result of a merger. Mr. Erney inquired if a merger is considered and executed, would both departments operate under the same commission, but at their currently separate departments.

Chairman Stefanowicz informed Mr. Erney that the Board of Supervisors has discussed matters of a merger between both the Dover Township Station 9 Volunteer Fire Department and the Dover Borough Station 6 Volunteer Fire Department.

Mr. Erney stated that he would like to see a committee created of both the Dover Township Station 6 Volunteer Fire Department and the Dover Borough Station 6 Volunteer Fire Departments to help work out logistics and feasibility. Mr. Erney would like the committee to look into matters of the feasibility of working together either separately or together and begin working on coming together as one now, and then the logistics to follow after.

Mr. Erney qualified that he understands the efforts made and the stance that Dover Township has taken.

Chairman Stefanowicz stated that Dover Township would strongly like to have movement on a merger of the local fire departments. Chairman Stefanowicz stated that he will suggest to C. Richards; whom is the Fire Department liaison, to inquire about organizing a meeting between the leaders of both of the local fire departments regarding this matter for possible further merger success.

R. Stone added that this topic is a really great topic and focus of energy and R. Stone feels as though time should be spent on this matter and a meeting of the stakeholders would be a great idea. R. Stone stated that this is most certainly a matter that should be taken under advisement in the new year.

The full Board of Supervisors thanked Mr. Erney for his time and thoughts.

Ms. Erika Beyer – To Discuss Zoning Matters Regarding Air B&B's

Ms. Beyer is a Dover Township resident who resides at 3490 Summer Drive, Dover. Ms. Beyer stated that she has a new neighbor that has recently moved into her development and the new neighbor has begun running an Air B&B. As a result of the Air B&B, Ms. Beyer stated that an individual that was staying at the Air B&B had died of a drug overdose on the sidewalk near her home, Ms. Beyer does not want these occurrences in her neighborhood. Ms. Beyer stated that individuals who utilize the services of an Air B&B do so in a transient nature. Ms. Beyer qualified that in doing so, moving trucks come and go, vehicles are left idling at all hours of the night, parking issues have been created, individuals staying at the Air B&B have been utilizing her property for their animals and so forth. Ms. Beyer stated that Air B&B tenants have tried utilizing a swing set on her property.

Ms. Beyer stated that Air B&Bs and room sharing are becoming ways of the future and Ms. Beyer would like to have consideration given to having regulations or guidance placed forth now on these matters.

R. Stone inquired with J. McLucas, inquiring that Mr. McLucas is aware of these matters and that he has acted?

J. McLucas responded that he is aware of this matter and that the current matter qualifies as a Room In House under a Special Exception. J. McLucas stated that he has served a violation on

the owners who then sought the Zoning Hearing Board for a Special Exception. J. McLucas stated that ultimately the Special Exception was denied by the Zoning Hearing Board due to lack of adequate parking. J. McLucas stated that there are other issues regarding this case. J. McLucas stated that the Dover Township Ordinance regarding zoning districts and uses, like the use in question, should be revisited to qualify the best practices and uses for the districts.

R. Stone stated that this Air B&B is in operation and that this use is not permitted.

J. McLucas replied stating yes, the Air B&B in question is not permitted. J. McLucas replied stating that he has served the individuals of the Air B&B with a violation and the activity is continuing to be undertaken. J. McLucas stated that a Cease-and-Desist order was served in June of 2020. The individuals in question then sought the Zoning Hearing Board to seek a Special Exception and the Zoning Hearing Board issued a Stay. J. McLucas stated on November 18th, 2020, the Zoning Hearing Board made the final decision to deny the Special Exception for the Air B&B, the written decision was issued on December 11th, 2020.

J. McLucas stated that he is receiving daily correspondence and proof that the Air B&B is still, currently operating. J. McLucas stated that he is working with the residents for proper documentation. J. McLucas added that charges will be filed after December 11th, 2020.

Chairman Stefanowicz stated that the Special Exception was denied due to parking. Chairman Stefanowicz feels as though Ms. Beyer is correct in stating that Dover Township should revisit the Township ordinance regarding this matter for further examination.

Attorney Rausch qualified that this matter is a hot topic and that there is a lot of literature and sample ordinances regarding short term rentals. Attorney Rausch stated that he has provided sample ordinances to J. McLucas and both he and J. McLucas will work on creating the ordinance that best fits Dover.

EMERGENCY MANAGEMENT COORDINATOR REPORT by Anne Zarlenga

Emergency Management Agency Year 2020 in Review Report

Emergency Management Coordinator, Ms. Anne Zarlenga, informed the Board of Supervisors of the annual projects and tasks that have been completed by the Dover Emergency Management Agency staff. A. Zarlenga supplied the Board of Supervisors with a written report detailing updates on EOP and Plans, Staff, Safety and Security, Meetings, Community Education and Events, Special Needs Population, TMI Drill, General Work, Annual Goals Met in 2020 and Goals to Meet in 2021.

R. Stone thanked A. Zarlenga and her entire team for all of their dedication and hard work in such vital roles to Dover Township.

ENGINEER'S REPORT by Township Engineer Terry Myers

Authorization to Advertise the Bridge Guiderail Contracts

T. Myers stated that an engineering proposal, to address all high priority maintenance items discovered during inspections, has been submitted and approved. The Authorization to Advertise the Bridge Guide Rail Contracts will consist of Guide Rail Contract for Bridge Number 1, 2 and 9. The Authorization to Advertise the Maintenance Contract will consist of Bridge Number 1 and 2 and Maintenance Contract for Permitting and Lining Bridge Number 9.

T. Myers qualified with M. Fleming regarding not moving forward, at this time, with an Authorization to Advertise the Bridge Guiderail Contracts due to the surrounding maintenance work needing to be completed first.

M. Fleming stated that he agrees with T. Myers regarding having the surrounding maintenance work completed first then moving forward with the bridge guiderail work implemented.

At this time, Dover Township will not be moving forward with advertising the previously discussed Bridge Guiderail Contracts.

T. Myers stated that during the working progress on Bridge 177, also known as the Baker Road Bridge, the detour was verified to consist of Emig Mill Road. During reviews, there is a weight restriction on Emig Mill Road and the weight restriction is not in reference to the culvert or the bridge on Emig Mill Road. T. Myers stated that there is not a qualifying traffic study to support the aforementioned weight restriction. T. Myers stated that Emig Mill Road cannot be utilized as a detour road, so long as the road holds a weight restriction. T. Myers inquired with the Board of Supervisors if the Board would consider waiving the six-ton weight limit restrictions so that Emig Mill Road can be utilized as a necessary detour road for the Baker Road Bridge project?

R. Stone inquired if there were any safety concerns with this approach?

T. Myers stated that he does not feel that there are any safety concerns with this approach and qualified that Emig Mill Road was paved in the past ten years and during the last time in which Emig Mill Road was inspected, no weight restrictions were deemed necessary.

M. Fleming stated that there are multiple roads within the Township that have weight restrictions posted without the validating credentials. M. Fleming added that he feels as though the weight restrictions were previously put into place to curb tractor trailer traffic; however, they are not enforceable due to lacking the necessary studies to implement the weight restriction signage.

C. Richards inquired as to if the weight restriction postings, without validating credentials, can be removed?

M. Fleming stated that there are means in which the weight restrictions, without validating credentials, can be eliminated, and removed from the Dover Township Ordinance.

T. Myers stated that once the necessary weight restriction signs are removed, the project can move forward to seek PENNDOT permitting approval for the proper detour.

Motion by R. Stone and seconded by M. Cashman to remove the invalidated weight restriction signage on all roads within Dover Township, as the signage is currently unenforceable, as presented. **Passed** with 5 ayes

ZONING OFFICERS REPORT BY Township Zoning Officer John McLucas

Update on Recent Matters

J. McLucas stated that the Riding Academy/Boarding Stables, located on Detters Mill Road, will be going before the Zoning Hearing Board this coming week.

J. McLucas stated that the Planning Commission has recommended approval to the Board of Supervisors, of the Solar Ordinance, with a revision date of November 11th, 2020. A zoning update on the Dover Township Solar Ordinance will be presented in the near future.

J. McLucas stated that the Apple Outdoor Wholesale Facility plan has been recorded.

J. McLucas added that the Township remains to continue work on the burnt down home project on Partridge Drive in Dover Township.

MANAGER'S REPORT by Township Manager Laurel Oswalt

Approve an Extension and Reinstitution of the Emergency Disaster Declaration for the COVID-19 Pandemic

The reinstatement of the Emergency Disaster Declaration for the COVID-19 Pandemic will allow Dover Township to continue to receive grant and emergency funds from the federal and state governments. The reinstatement of the Emergency Disaster Declaration for the COVID-19 Pandemic will allow for the fire department and ambulance club to be eligible for the same types of funds.

Motion by C. Richards and seconded by R. Stone to approve to extend and reinstate the Emergency Disaster Declaration for the COVID-19 Pandemic, as presented. **Passed** with 5 ayes

Tax Collector Pay

Manager Oswalt stated that the Dover Township Tax Collector was previously present during a Board of Supervisors meeting to setting the Tax Collector Pay for the new Term. The new pay amount would need to be set in January of 2021 to be sure that any individual who wishes to run for the position would then know the compensation for the position upon running.

The Board of Supervisors had requested that other municipalities be examined to research what other tax collectors are being compensated. Manager Oswalt stated that she had presented material to all Board of Supervisor members that include a study of Manchester Township, West Manchester Township, Windsor Township and York Township and the compensation methods and amounts.

Manager Oswalt stated that various tax collector positions collect on various methods and in various manners, paid on a per bill basis or also for Hydrant taxes and etc.

Chairman Stefanowicz stated that after calculations, he estimated that over a four percent (4%) increase is being requested by the current Dover Township Tax Collector. Chairman Stefanowicz made suggestion that instead of a twenty-five hundred (\$2,500.00) dollar increase, a fifteen hundred (\$1,500.00) dollar increase would be much more adequate to an annual two and a half percent increase, much like Dover Township employees receive annually.

Chairman Stefanowicz does not feel that an increase, over the amount of a potential increase for Dover Township Staff, should be applicable.

In addition, Manager Oswalt stated that Mrs. Keener the current Dover Township Tax Collector, had also requested to be added to the Dover Township healthcare.

According to the Second-Class Township code, elected officials except supervisors, under section 606 and appointed officials who are not employees of Dover Township are not eligible for participation in any life, health, hospitalization, medical service, or accident insurance coverage contract paid in whole in part by the Township.

Mrs. Keener had indicated that she would pay the health care; however, Mrs. Keener can only pay at a COBRA rate, which is less than what Dover Township would be charging because Dover Township is self-insured. Manager Oswalt added that the COBRA rate is set by an actuary for the plan.

R. Stone feels as though this matter is that of a legal issue and that Dover Township is prohibited from doing so in adding such a position to the health care plan.

Attorney Rausch qualified with regards to the Second-Class Township code, in doing so in adding such a position to the Township health care plan, the offer would then most inherently need to be open to other elected and appointed positions within the Township as well such as including the Zoning Hearing Board members, the Planning Commission and so forth.

R. Stone stated that he feels as though such an action can generate quite a challenge.

Chairman Stefanowicz feels that adding the Tax Collector position to the Township Health Care plan is not good practice.

C. Richards agreed with Chairman Stefanowicz in that the Township should not offer health care to the Tax Collector position.

M. Cashman agreed with the stance of all other Board of Supervisors members.

Board consensus was reached, and it was collectively determined not to allow the Dover Township Tax Collector position to join the Dover Township Health Care plan.

Manager Oswalt inquired as to the amount that the Board of Supervisors would like to offer with regards to an increase in the annual wage set forth for the Dover Township Tax Collector.

R. Stone added that Mrs. Keener does a great job within her duties; however, feels as though the Dover Township Tax Collector position should not be offered an increase in double the amount of Dover Township staff.

Board consensus was reached, and it was collectively determined to offer a fifteen hundred (\$1,500.00) dollar increase for the upcoming Tax Collector position term.

Tax Claim Bureau Tax Request Write Offs for Tax Year 2018 and 2019

Manager Oswalt stated that two of the properties, for the Tax Claim Bureau Tax Request Write Offs, are for the same property. The properties in question are 2746 Genna Circle and 4179

Leah Avenue and are located in Mobile Home Parks. The old trailers have been removed and the necessary funds remain due from the previous owners of the trailers. The Mobile Home Park pays the tax on the land.

Manager Oswalt added that since the mobile home park has been removed, there is no property to collect the required tax against. The amount in question for all three (3) properties is twenty-five (\$25.00) dollars.

Motion by M. Cashman and seconded by S. Parthree to approve the Tax Claim Bureau Tax Request, Write Offs for Tax Year 2018 and 2019as presented. **Passed** with 5 ayes

Resolution 2020-24 Authorization for the Submittal of Applications to York County Planning Commission for Community Block Development Funds

Manager Oswalt informed the Board of Supervisors that Dover Township is requesting funding for zoning revisions and three public works projects. Guiderail on George Street, pipe culvert on Poplars Road and Sidewalks on Poplars Road.

Manager Oswalt stated that Resolution 2020-24 authorizes the submittal of applications to York County Planning Commission for Community Block Development Funds, these funds include revisions to the Joint Zoning Revisions Project which is supported by Dover Borough.

Motion by S. Parthree and seconded by R. Stone to authorize Resolution 2020-24 to submit applications to the York County Planning Commission for Community Block Development Funds, presented. **Passed** with 5 ayes

Update on the 902 DEP Recycling Grant

Manager Oswalt noted that Dover Township was awarded the 902 DEP Recycling Grant, this grant will be utilized for much needed equipment for the leaf collection process. The 902 DEP Recycling Grant amount awarded is \$181,000.00.

PUBLIC WORKS DIRECTOR'S REPORT by Township Public Works Director Michael Fleming

Accept 2020 Water Improvement Construction Proposal

M. Fleming stated that he would like to suggest the Board of Supervisors accept the 2020 Water Improvement Construction Proposal from E.K. Services to replace and upgrade water facilities on Raycom Road and Belair Drive for an estimated construction cost of five hundred thirty-two thousand, six hundred eighty-eight dollars and fifty cents (\$532,688.50). M. Fleming added that he would like to additionally add a Notice of Intent to Award to E. K. Services so that E. K. Services can begin submitting the necessary bonds and other associated paperwork.

M. Fleming added that construction could possibly begin in January 2021 with an estimated completion date scheduled for April 30th, 2021. M. Fleming provided the full Board with the necessary bid tabulation forms for the 2020 Water Improvement Construction proposal.

Motion by R. Stone and seconded by M. Cashman to accept the Water Improvement Construction Proposal from E.K. Services in the amount of six hundred eighty-eight dollars and fifty cents (\$532,688.50) with a Notice of Intent, as presented. **Passed** with 5 ayes

M. Fleming informed the full Board of action items for engineering proposals for bridge projects to be completed in 2020 and the Andover Utility Project for 2021. M. Fleming stated that proposals were received from both C.S. Davison Engineering and Herbert, Rowland & Grubic, Inc. M. Fleming provided background information regarding this matter. M. Fleming stated that Dover Township sought the proposal of C.S. Davidson as C.S. Davidson is the Dover Township Engineer. Dover Township sought a proposal from HRG as a key employee that Dover Township has worked with for many years on bridge inspections had left C.S. Davidson and now works for HRG. HRG is the firm that is currently under contract with York County to perform bridge inspections.

M. Fleming added that the engineering proposal for the Bridge Projects 2020 is to address deficiencies on twelve bridges throughout Dover Township. M. Fleming provided the full Board a spreadsheet of the specific locations for proposal.

M. Fleming stated that the Engineering Proposal for the Bridge Projects 2020 received from HRG was in the amount of two hundred ninety-nine thousand five hundred (\$299,500.00) dollars and the Engineering Proposal for the Bridge Projects 2020 received from C.S. Davidson was in the amount of three hundred seventy-two thousand (\$372,000.00) dollars.

Mr. Steven Malesker, P.E. for HRG was present during this evening virtual meeting.

T. Myers stated that C.S. Davidson has reviewed both proposals and C.S. Davidson feels as though both proposals are not being compared equally. T. Myers added that C. S. Davidson had their staff review their proposal versus what was included in HRG's proposal and C. S. Davidson feels that there will be at least an estimated sixty-six thousand (\$66,000.00) dollars in work that C. S. Davidson anticipates will need to be done as part of this contract so that Dover Township will have a complete and total engineering package. T. Myers stated that both proposals are very comparable once you look into the services being provided.

Mr. Steven Malesker qualified that he has not viewed both proposals in tandem and cannot comment on T. Myers review. Mr. Malesker qualified that he feels as though HRG has reviewed the matter very closely and that HRG's proposal has included the necessary work that needs to be done.

T. Myers offered to sit down with the full Board to review the details of the C.S. Davidson Engineering Proposals for the Dover Township Bridge Projects 2020 Bid.

T. Myers stated that he does not feel that the two proposals, from C.S. Davidson Engineering and HRG, are not being compared equally. T. Myers stated that C.S. Davidson has included, within their proposal, the costs regarding a couple permits that will need to be obtained and completed. T. Myers stated that the individual with C.S. Davidson that is working on the project proposal has been employed by C.S. Davidson for over thirty years, performing bridge design, looked at the three bridges within the Dover Township proposal and has concluded that there is a very distinct possibility that Hydraulic and Hydrology study may need to be performed to obtain

the necessary permits in an estimated amount of ten thousand (\$10,000.00) dollar range. T. Myers included notation of Bearing Seat Adjustments in an estimated amount of twenty thousand (\$20,000.00) dollar range. An evaluation of the bridges is included in an estimate of three thousand (\$3,000.00) dollars. C. S. Davidson's proposal anticipated a detour with necessary approvals. T. Myers stated there are probably fourteen different matters that created such a difference between both proposals for the Engineering Proposals for the Bridge Projects 2020.

M. Fleming stated that, in his opinion, Dover Township issued a Request for Professional Services. M. Fleming stated that the Township should seek to accept the lowest cost bid received.

M. Fleming added that if the HRG proposal is accepted and necessary items are missed, HRG must be responsible for the missing items.

S. Parthree inquired with Mr. Malesker in asking if Mr. Malesker is still comfortable with their bid proposal from HRG, after hearing this evening's discussion regarding the Engineering Proposals for Bids received?

Mr. Malesker replied yes and that HRG has examined everything necessary and the tasks involved within the work regarding the price of work and scope of work outlined within the HRG bid proposal.

Motion by R. Stone and seconded by S. Parthree to accept the Engineering Proposal for the Bridge Projects 2020 Bid from HRG in the amount of two hundred ninety-nine thousand five hundred (\$299,500.00) dollars, as presented. **Passed** with 4 ayes and 1 nay per C. Richards

Accept Engineering Proposals for the Andover Utility Project 2021

M. Fleming informed the Board of Supervisors that the Andover Utility Project 2021 is to replace the sanitary sewer and water facilities within the fifty-foot-wide road right-of-way. M. Fleming added that Engineering Proposals were sought from Buchart Horn and Spotts, Stevens & McCoy, as in the project involves both replacing sanitary sewer and water facilities.

M. Fleming stated that Spotts, Stevens & McCoy has performed great work in the past for Dover Township and M. Fleming feels that the proposal received from Spotts, Stevens & McCoy is very reasonable in the amount of seventy-three thousand seven hundred (\$73,700) dollars.

M. Fleming stated that Al Guiseppe, Directors of Water Resources for Spotts, Stevens & McCoy, is present this evening, via virtual means, should the Board of Supervisors have any questions.

M. Fleming stated that his recommendation for awarding of the Engineering Proposal for the Andover Utility Project 2021 would be to award to Spotts, Stevens & McCoy.

Motion by R. Stone and seconded by S. Parthree to accept the bid from Spotts, Stevens & McCoy in the amount of seventy-three thousand seven hundred (\$73,700) dollars for the Andover Utility Project 2021, as presented. **Passed** with 5 ayes

Carlisle Road – Traffic Signal Emergency Vehicle Preemption Repairs

M. Fleming stated that he has concerns regarding the completion of the Carlisle Road, traffic signal emergency vehicle preemption repairs that are much needed. M. Fleming added that there are many traffic signals projects that were not completed this year within the Township and some issue has been due to a lack of being able to obtain necessary parts during the COVID19 pandemic. M. Fleming stated that not only has the traffic signal maintenance contractor lacked the capability of ordering parts but was also unable to complete work due to health issues.

Chairman Stefanowicz inquired if there is another firm to be able to consider for this style of work?

M. Fleming stated that the Township contracts the work that is to be completed with the Traffic Signal contractor because the work is considered maintenance with the current Dover Township traffic signal contract. M. Fleming stated that if the Board of Supervisors wishes to seek a different contractor, the services will need to be placed out for bid and new systems would need to be placed at the cost estimate of thirty thousand (\$30,000.00) dollars. M. Fleming added that if we remain with the current contract, the estimated cost would then equate to twenty thousand (\$20,000.00) dollars.

M. Fleming stated that he feels the Township has remained very lenient with the current Traffic Signal contractor and has reached the last necessary attempt to achieve completion of essential traffic signal work. M. Fleming stated that due to a lack of essential work being completed this year, he would like to place the Traffic Signal contractor position for bid. M. Fleming stated that he has been attempting to have the necessary work completed since January of 2020. M. Fleming informed the Board of Supervisors that he would like to bring this matter to the Board of Supervisors attention and that this matter will be addressed in the upcoming months.

The full Board of Supervisors thanked M. Fleming for informing them of the Traffic Signal contractor concerns and project status.

MS4 UPDATE

M. Fleming informed the Board of Supervisors that he has received confirmation from the Pennsylvania Department of Environmental Protection and that they have reviewed the Dover Township MS4 Periodic Report Review and that they have determined that the Dover Township MS4 Periodic report is complete and acceptable.

COMMENTS AND NEW BUSINESS FROM THE BOARD

None to note.

PUBLIC COMMENT

None to note.

With no further business, the meeting was adjourned by Chairman Stefanowicz at 8:43 PM.

Respectfully submitted by: _____
Tiffany Strine, Recording Township Secretary