

**DOVER TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
May 22nd, 2023**

The Dover Township Board of Supervisors for Monday, May 22nd, 2023, was called to order at 6:59 PM by Chairperson Stephen Stefanowicz in the Dover Township Board of Supervisors meeting room. Supervisors present were Charles Richards, Stephen Parthree, Michael Cashman, and Robert Stone. Other Township Representatives in attendance were Laurel Oswalt, Township Manager; Charlie Rausch, Township Solicitor; John McLucas, Planning Director; Michael Fleming, Public Works Director; Terry Myers, Township Engineer; Cory McCoy, CS Davidson; and Brooke Scarce, Township Secretary. There were 8 members of the public present.

This meeting is being recorded for the purpose of minutes only.

APPROVAL OF THE REGULAR BOARD OF SUPERVISOR MINUTES FOR MAY 8TH, 2023

Motion by R. Stone and seconded by S. Parthree to approve the Regular Board of Supervisor Minutes from May 8th, 2023, as presented. **Passed** with 4 ayes and 1 abstain.

TREASURER'S REPORT

APPROVAL OF THE MAY 9TH, 2023 WARRANT IN THE AMOUNT OF \$40,143.99
APPROVAL OF THE MAY 18TH, 2023 WARRANT IN THE AMOUNT OF \$334,843.20
(2020 BOND)
APPROVAL OF THE MAY 22ND, 2023 WARRANT IN THE AMOUNT OF \$236,290.09

M. Cashman questioned if the Township credit card is for incidental purchases and if the Board members should receive a copy of the credit card statement when it's over a certain amount.

Manager Oswalt stated that the Township does receive a copy of the credit card statements and she reviews all the purchases before the credit card balance is paid. The April statement was larger than usual because the card was used to pay quarterly unemployment taxes, computer upgrades, and new chairs for the banquet facility at the Community Building. The other items charged to the card were smaller purchases.

M. Cashman stated that he sees the trend of businesses and companies using a credit card to purchase everything.

S. Stefanowicz noted that the credit card balance was a large number.

Manager Oswalt stated the new chairs for the Community Building were roughly \$13,000.00, the quarterly unemployment was roughly \$8,000.00 or \$9,000.00, and the computer upgrades were approaching \$10,000.00.

Manager Oswalt noted that she can talk to the Treasurer about printing a copy of the credit card statement for the Board members, but it is a lengthy document.

S. Stefanowicz noted that maybe major items could be listed on the warrants without getting into too much detail.

Motion by C. Richards and seconded by S. Parthree to approve the above referenced warrant totals, as presented. **Passed** with 5 ayes.

PUBLIC COMMENT

Marie McInerney from 6331 Salem Run Road questioned if the quarterly unemployment tax was the state tax or the federal tax that is being paid through the credit card.

Manager Oswalt stated it is the state tax that gets paid through the credit card.

M. McInerney questioned if there is a service fee for paying the state tax through a credit card.

Manager Oswalt stated that she does not handle paying the unemployment tax personally, so she cannot answer that question. The Township pays the unemployment tax through the Pennsylvania State Association of Townships Supervisors, and we self-insure through that agency, so we pay it all to them online via credit card. With today's mail, things tend to get lost, and the Township ends up issuing several checks to get the amount paid which often makes the payment late.

ENGINEER'S REPORT

Terra Vista Sewer and Water

T. Myers stated the public portions of the sewer and water systems have been completed, satisfactorily tested and the required maintenance bonds have been furnished. We are recommending that the Township formally accept responsibility for those lines. In addition, there is an agreement to modify the land development plan. When the water system was installed, the water line was intended to be laid in an arch but in this case the contractor installed it on a bend which took the line out of the plan's easement established by the subdivision plan. This agreement will amend the location of the water line and abandon the section of sewer right of way that is no longer needed due to the sanitary sewer line's relocation with this plan's development.

S. Stefanowicz questioned if there are costs involved with revising the plans.

T. Myers stated that there was a cost by the developer's engineer, but there would be no cost to the Township.

T. Myers noted that the agreement has been approved by the Township Solicitor.

Motion by M. Cashman and seconded by R. Stone to accept the public portion of the water and sewer lines and authorize the Chairman to execute the agreement to modify the land development plan, as presented. **Passed** with 5 ayes.

ZONING OFFICER REPORT, J. MCLUCAS

PL 22-5 – Donwood IIB – Revised Preliminary Subdivision Plan – 53 Single Family Dwellings – R3 District

J. McLucas stated the Board conditionally approved this plan in November of 2022 but has asked the Board to table this plan until someone is present at the meeting.

Motion by R. Stone and seconded by C. Richards to table PL 22-5 – Donwood IIB – Revised Preliminary Subdivision Plan – 53 Single Family Dwellings – R3 District, as presented. **Passed** with 5 ayes.

PL 22-15 – 3966 Carlisle Road (Mavis) P/F Lot Consolidation Plan – Commercial District

J. McLucas stated the Board conditionally approved this plan at the end of January. The plan has been resubmitted for reapproval subject to the outstanding comments from CS Davidson.

P.J. Melocheck from Miller Bros. Construction stated that the Board did grant conditional approval for the lot consolidation. The plan that was brought today is signed.

J. McLucas stated that under the subdivision and land development ordinance there are some open items which are as follows; 1. Prior to final plan approval, a disk in an electronic format compatible with the Township GIS system shall be provided. (§ 22-501.2.A) and 6. The applicant shall provide a copy of the recorded access easement for the Township's record.

Motion by M. Cashman and seconded by C. Richards to approve PL 22-15 – 3966 Carlisle Road (Mavis) P/F Lot Consolidation Plan – Commercial District subject to all numbered conditions and outstanding items being addressed as noted by J. McLucas above, as presented. **Passed** with 5 ayes.

PL 22-9 – 6,700 SF Mavis Discount Tire Store Land Development Plan – Carlisle Road – Commercial District

J. McLucas stated the Board conditionally approved this plan at the end of February. The plan has been resubmitted for reapproval subject to the outstanding comments from CS Davidson. This plan was held up due to PennDOT highway occupancy permits. Under the subdivision and land development ordinance there are some open items which are as follows; 3. Public Improvements Security is required in a form and amount acceptable to the Township, prior to final plan approval. (§ 1201.1).

M. Fleming stated there was a question on the PennDOT permit information that was submitted as to whether the permit covered all the disconnections for sewer and water services.

J. McLucas stated to add No. 4 as an open item to address public works comment as noted by M. Fleming.

C. Rausch stated they prepared the stormwater O&M agreement but it has not been recorded yet.

P.J. Melocheck stated that he brought two signed copies of the O&M agreement that he is going to leave at the meeting.

C. Rausch stated it would not hurt to add No. 5 to the open conditions to address the recording of the stormwater and access agreement.

Motion by R. Stone and seconded by M. Cashman to approve PL 22-9 – 6,700 SF Mavis Discount Tire Store Land Development Plan – Carlisle Road – Commercial District subject to all numbered conditions and outstanding items 3 and added 4 and 5 being addressed, as presented. **Passed** with 5 ayes.

PL 22-17 – 3G Enterprises 2-Lot Subdivision Plan – Paradise Road – Ag District

J. McLucas stated there is one waiver request which is as follows; §22-704.B.1 – Request to waive requirement to widen Paradise Rd. from 18’ wide to 28’ wide.

J. McLucas stated that under the subdivision and land development ordinance there are some open items which are as follows; 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 legal and/or equitable Owner’s notarized signatures must be added to the plan certifying concurrence with the plan. (§ 22-501.2.H) and 4. Access and O&M agreements for shared driveway shall be provided for review. Deliver copies to Township for their records.

C. McCoy stated that under the subdivision and land development ordinance there are some open items which are as follows; 5. It shall be the developer’s responsibility to verify if the project site is underlain by carbonate geology. The carbonate geology note shall be signed prior to final plan approval (§309.D). The note and signature shall be added to the plans which are to be recorded, 6. A notarized signature for the owner of the parcel for which the SWM site plan is proposed indicating that they are aware of and will be responsible for operation and maintenance of the facilities (§401.E.19). The note and signature shall be added to the plans which are to be recorded, 7. Prior to final approval of the SWM site plan, the property owner shall sign and record an operation and maintenance (O&M) agreement covering all stormwater control facilities which are to be privately owned.(§502.A), and 8. The BMP inspection frequencies and O&M notes shall be added to the plans which are to be recorded. Comments number 5, 6, and 8 will be satisfied once they are recorded.

Motion by M. Cashman and seconded by R. Stone to grant the waiver request §22-704.B.1 – requirement to widen Paradise Rd. from 18’ wide to 28’ wide and approve PL 22-17 – 3G Enterprises 2-Lot Subdivision Plan – Paradise Road – Ag District including all numbered conditions and outstanding items being addressed, as presented. **Passed** with 5 ayes.

PL 23-1 – Dover Highlands 4-Step Conservation By Design Sketch Plan (Revised) – R4 District

J. McLucas stated the Board has seen this design sketch plan previously. The developer has switched engineers who are considering a new layout.

Adam Anderson from Site Design Concepts stated that the old design shows a townhouse development, and the new design shows an apartment style development. The design contemplates 7 apartment buildings with 1 maintenance, fitness, lease office. The total unit count has not been determined yet, but they are guessing anywhere from 68-90 units. It is a challenging site, there are topographic issues, wetland areas, and an Texas Eastern pipeline that hinder the site's development.

During the design sketch plan review there were questions about the buffering area between Trail Nurseries as well as when the land swap will take place. Presently, the walking trail is on the land that would be provided to Trail Nurseries. There will still be screening required in between the proposed use and the existing use. Since this is only a sketch plan, only general concepts are included in this plan. Further details will be determined through the preliminary and final plan processes.

M. Fleming questioned the sewer and water layout.

A. Anderson noted that the intent is to connect to the line that will service the other units in Phase 1 and 2.

J. McLucas noted that the design is just a sketch plan, so the plan just shows the natural features of the land and the general layout. They still have to go through the preliminary plan process then the final plan process. From a sketch standpoint, Carlisle Road is listed as a bike route from the County Transportation Plan, which is why the Planning Commission thought the walking trail should be on the Trail Nurseries side of the property.

Motion by C. Richards and seconded by S. Parthree to approve PL 23-1 – Dover Highlands 4-Step Conservation By Design Sketch Plan (Revised) – R4 District subject to outstanding items in review letter from CS Davidson dated May 18th, 2023, as presented. **Passed** with 5 ayes.

SOLICITOR'S REPORT

Approval and authorization to have the Township Manager sign the Lexon Litigation Settlement and Release Agreement

C. Rausch stated the final settlement agreement and release from the attorneys for Lexon is before the Board this evening. This is regarding a settlement of the lawsuit that the Township filed against Lexon and Fox Run Creek Estates.

“Motion to approve the Settlement Agreement and Release between Dover Township and Lexon Insurance Company in the amount of \$532,500.00 in satisfaction of the lawsuit entitled Dover Township v. Lexon Insurance Company and Fox Run Creek Estates, LP, in the York County Court of Common Pleas at Civil Action no. 2019-SU-000327, and to authorize the Township Manager to execute the Settlement Agreement and Release on behalf of the Township.”

Motion Made by: Robert Stone

Seconded by: S. Parthree

Vote: Five ayes and 0 nays.

TOWNSHIP MANAGER REPORT, L. OSWALT

Approval of Payment Application #5 from Myco Mechanical, Inc. in the amount of \$16,560.00 for the Fire Department Dorm Project

Motion by C. Richards and seconded by S. Parthree to approve Payment Application #5 from Myco Mechanical, Inc. in the amount of \$16,560.00 for the Fire Department Dorm Project, as presented. **Passed** with 5 ayes.

Manager Oswalt stated the next two items are changes orders associated with the Fire Department Dorm Project. They have to do with a situation that was discovered when the primes were working on the public bathrooms. There is some electrical work that did not meet code as well as access and tear down to existing masonry walls to get to the work that was not in code compliance.

Approval of Change Order #1 from East Coast Contracting, Inc. in the amount of \$1,728.85 for the Fire Department Dorm Project

Motion by C. Richards and seconded by S. Parthree to approve Change Order #1 from East Coast Contracting, Inc. in the amount of \$1,728.85 for the Fire Department Dorm Project, as presented. **Passed** with 5 ayes.

Approval of Change Order #3 from Monacacy Valley Electric, Inc. in the amount of \$1,443.54 for the Fire Department Dorm Project

Motion by C. Richards and seconded by M. Cashman to approve Change Order #3 from Monacacy Valley Electric, Inc. in the amount of \$1,443.54 for the Fire Department Dorm Project, as presented. **Passed** with 5 ayes.

Approval of Payment Application #7 from York Excavating Co, LLC in the amount of \$107,966.10 for the Eagle View Park Improvements

Motion by S. Parthree and seconded by R. Stone to approve Payment Application #7 from York Excavating Co, LLC in the amount of \$107,966.10 for the Eagle View Park Improvements, as presented. **Passed** with 5 ayes.

Approval of Resolution 2023-16 authorizing an application to the Department of Community and Economic Development for \$250,000 for Phase III- Playgrounds of Eagle View Park

Motion by S. Parthree and seconded by R. Stone to approve Resolution 2023-16 authorizing an application to the Department of Community and Economic Development for \$250,000 for Phase III- Playgrounds of Eagle View Park , as presented. **Passed** with 5 ayes.

PUBLIC WORKS DIRECTOR REPORT, M. FLEMING

Approval of Payment Application #5 from Lobar Site Development Corp. in the amount of \$131,675.59 for the 2022 Bridge Improvements Contract

Motion by C. Richards and seconded by S. Parthree to approve Payment Application #5 from Lobar Site Development Corp. in the amount of \$131,675.59 for the 2022 Bridge Improvements Contract, as presented. **Passed** with 5 ayes.

MS4 UPDATE

M. Fleming stated that he and the Assistant Public Works Director are still working with Thornton Automotive regarding their MS4 inspection.

OLD BUSINESS

2020 Joint Comp Plan -Nothing to note.

COMMENTS FROM THE BOARD

S. Parthree noted that he got a complaint from a concerned resident about one of the Township owned parks last week and the issue has been addressed with the proper staff. The parks need to be maintained well, and if anyone sees anything that needs to be corrected, make sure to point it out so it can be resolved.

S. Stefanowicz stated that he received a nice email from the EMS staff regarding the \$20,000.00 donation provided by the Township. From the email, it also sounded as if people in the EMS community are struggling because of citizens not paying their ambulance bill.

COMMENTS FROM THE PUBLIC

None were noted.

With no further business, Chairman Stephen Stefanowicz concluded the Board of Supervisors meeting at 8:25 PM.

Respectfully submitted by: Brooke M. Scarce

Brooke M. Scarce, Township Secretary