

**DOVER TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
September 25th, 2023**

The Dover Township Board of Supervisors for Monday, September 25th, 2023, was called to order at 7:01 PM by Chairperson Stephen Stefanowicz in the Dover Township Board of Supervisors meeting room. Supervisors present were Charles Richards, Stephen Parthree, Robert Stone, and Michael Cashman. 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 11 members of the public present.

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

Chairperson Stephen Stefanowicz announced that a Work Session was held prior to the evenings regularly scheduled Board of Supervisors meeting to discuss the Butter Road Traffic Study/Improvements.

APPROVAL OF THE REGULAR BOARD OF SUPERVISOR MINUTES FOR AUGUST 28TH, 2023

M. Cashman noted a change in the minutes. On page 8 under Lieutenant Anderson's comment, it should note that Northern Regional spends 30% of their time, per year on Butter Road.

Motion by R. Stone and seconded by M. Cashman to approve the Regular Board of Supervisor Minutes from August 28th, 2023 with the correction, as presented. **Passed** with 3 ayes, 2 abstain.

Stephen Stefanowicz and Stephen Parthree abstained from the motion due to not being present at the meeting.

APPROVAL OF THE REGULAR BOARD OF SUPERVISOR MINUTES FOR SEPTEMBER 11TH, 2023

Motion by M. Cashman and seconded by C. Richards to approve the Regular Board of Supervisor Minutes from September 11th, 2023, as presented. **Passed** with 4 ayes, 1 abstain.

Robert Stone abstained from the motion due to not being present at the meeting.

TREASURER'S REPORT

APPROVAL OF THE SEPTEMBER 14TH, 2023 WARRANT IN THE AMOUNT OF \$29,645.61 (LIQUID FUELS)

APPROVAL OF THE SEPTEMBER 14TH, 2023 WARRANT IN THE AMOUNT OF \$125,634.62

APPROVAL OF THE SEPTEMBER 21ST, 2023 WARRANT IN THE AMOUNT OF

\$4,677.48 (LIQUID FUELS)

APPROVAL OF THE SEPTEMBER 21ST, 2023 WARRANT IN THE AMOUNT OF \$10,730.98 (2020 BOND)

APPROVAL OF THE SEPTEMBER 25TH, 2023 WARRANT IN THE AMOUNT OF \$379,519.47

Motion by R. Stone and seconded by M. Cashman to approve the above referenced warrant totals, as presented. **Passed** with 5 ayes.

PUBLIC COMMENT

Don Albrecht from Davenshire apartments questioned if anything has been done by the Board regarding the intersection of Harmony Grove Road and Carlisle Road.

M. Cashman stated that the Board agreed to proceed with the traffic circle, but no other decisions have been made.

ENGINEER'S REPORT, T. MYERS

Creekside Village Basin Conversion – proposed schedule

T. Myers stated the Board decided to abandon the concept of working with Doli and move forward on putting together plans and specifications to bid the project. The tentative schedule would be to open and bids in February 2024 and begin construction starting in May 2024.

Fountain Rock sidewalks

T. Myers stated that the Fountain Rock Final Subdivision Plan shows sidewalk along Cardinal Lane in front of the existing farmhouse (Lot # 51) and a previously created lot to the south (Lot # 106). Once the sidewalk along the open space areas is completed, these two lots will be the only lots created out of the Elmus Craun Farm that do not have sidewalk along their frontage. The old farmhouse (Lot # 51) sits close to Cardinal Lane and is about 6 feet above the street. Adding a sidewalk will require significant grading, reconstructing a set of concrete steps and possibly a retaining wall. No contact has been made with the existing property owner. A temporary construction easement may be required to complete the necessary grading and retaining wall. Allison Concrete took a quick look at the required work and provided a rough estimate of about \$20,000 to complete the work. Lot # 106 was created prior to the Fountain Rock Phase I Final Subdivision Plan. The Fountain Rock Phase I Final Subdivision Plan showed Lot # 106 because a 50' wide strip (Lot # 107) adjacent to the lot was being combined with the previously created lot. The subdivision that created lot # 106 allows the Township to give the property owner a 6 month notice to establish the sidewalk.

S. Parthree questioned if the sidewalk is required.

T. Myers stated that the subdivision plan shows the sidewalk along Cardinal Lane for lots #51 and lot # 106.

S. Stefanowicz questioned if there will be a grass strip to keep people away from the road.

T. Myers stated that there would be a grass strip along the sidewalk.

S. Stefanowicz questioned how wide the sidewalks are.

T. Myers stated that the sidewalks are 4 foot wide.

T. Myers noted that the Board does not need to take action on this item tonight, but he is making them aware of the issue. The item will be on the agenda at a future meeting for finalization.

Dover Highlands Phase I & II acceptance of public water system

T. Myers stated that in the Developer's Agreement - Section 4.C states "Prior to any unit connections, and after inspection and satisfactory testing, receipt of as-built drawings, and receipt of maintenance security, the township shall accept dedication of those water facilities." The public portion of the water system has been completed; satisfactorily inspected and tested, as built plans have been received and accepted and the maintenance security has been received. The Developer has requested that the Board consider accepting the public portion of the water system.

Motion by M. Cashman and seconded by R. Stone to accept the public water system in Dover Highlands Phase I & II Development, as presented. **Passed** with 5 ayes.

M. Cashman stated that the driving range structure evaluation has been completed and questioned whether there will be a meeting regarding the driving range structure.

T. Myers stated there will be a meeting, but there are still minor comments from the committee. Once the comments have been resolved, the information will be brought to the Board.

S. Stefanowicz stated that under Terry's report, it stated the Township Director of Planning is working on getting the bond extended prior to it expiring for Sagebrook Phase I. He was under the impression that the bond would not be extended.

J. McLucas stated that the developer has been notified on September 21st that an extension will no longer be accepted, and all the improvements must be completed by July 30, 2024.

T. Myers stated that their bond surety has been updated but the Township will not agree to allow the developer to update it anymore.

ZONING OFFICER REPORT, J. MCLUCAS

PL 20-5 - Dover Highlands Phase I & II Revision - Intermediate Avenue - R4 District

Motion by C. Richards and seconded by M. Cashman to approve PL 20-5 - Dover Highlands Phase I & II Revision - Intermediate Avenue - R4 District, as presented. **Passed** with 5 ayes.

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

J. McLucas stated the plan has been revised to reflect the actual unit counts and density.

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

PL-22-10 - 6,049 SF Wawa Convenience Store Dispensing Fuel - Final LD Plan & Lot Consolidation - 2941 Carlisle Road - Commercial District

J. McLucas stated the plan was conditionally approved on November 28, 2022. All of the outstanding items have been addressed. The plan needs to be reapproved and then signed.

Motion by R. Stone and seconded by M. Cashman to approve PL-22-10 - 6,049 SF Wawa Convenience Store Dispensing Fuel - Final LD Plan & Lot Consolidation - 2941 Carlisle Road - Commercial District, as presented. **Passed** with 5 ayes.

PL 23-8 - Solar Renewable Energy Preliminary P /LD Plan - 5370 Harmony Grove Road - Ag District

Ben Kirk with Burget and Associates stated they are proposing a total of 9,170 panels divided on both sides of Harmony Grove Road. The current layout is three different lots of ground for a total of 27.181 acres of solar panels. The panels will be fenced in with an 8-foot-high chain link fence. There will be a buffer area around the solar panels where trees and shrubs will be planted. There will also be a vegetation area as well as a wet land area. Before construction can start 70% growth will be required prior to installation of the solar panels.

C. Richards questioned if any of the shrubbery dies who is responsible for the replacement of the shrubbery.

B. Kirk stated that there is a maintenance agreement in place, so any shrubbery that dies will be replaced.

B. Kirk stated the access to the site is very minimal; after construction roughly 3-4 times per year the maintenance crew will check on the property. Most of the access to check the solar panels efficiency is done remotely. There will be a level 3 screening to protect the neighboring properties from the solar arrays.

M. Cashman question if the existing buildings on the property are staying.

B. Kirk stated that according to his knowledge, the existing buildings will be staying on the property.

J. McLucas stated that he was under the impression that the buildings were going to be fixed up and rented out at some point in the future.

C. McCoy stated that there is one waiver request; §22-70.B to not require additional cartway and right of way widths on Harmony Grove Road (SR 4014).

Motion by R. Stone and seconded by M. Cashman to approve waiver request §22-70.B to not require additional cartway and right of way widths on Harmony Grove Road (SR 4014), as presented. **Passed** with 5 ayes.

C. McCoy stated that there are outstanding items that still need to be addressed and reviewed. A letter was provided from C.S. Davidson dated September 22, 2023. Zoning Ordinance; financial security including the cost of decommissioning, dismantling, and removing PSES equipment and structures and restoration of the site to existing conditions shall be provided prior to issuance of a certificate of occupancy as described in section 27-665a.2.M.2. Subdivision and Land Development Ordinance; (2) prior to final plan approval, a disk in an electronic format compatible with the Township GIS system should be provided (§22-501.2.A}, (3) name, address, seal, signature, and date of the Professional Engineer/Surveyor shall be added to the plan, certifying the accuracy (§ 22-501.2.F}, (4) 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 (5) verification shall be provided indicating that the Erosion and Sedimentation control plan was approved by the York County Conservation District (§22-602.4). General Comments; Township Public Works comments shall be addressed prior to final plan approval, Township Planning Director comments shall be addressed prior to final plan approval, Specify depth of proposed downslope earthen overflow berm on detail provided on plan sheet 6 of 6. Stormwater Management Ordinance; (1) for sites with less than ½ acre of new impervious area, stormwater management facilities shall capture the first 2 inches of runoff from all impervious surfaces. Provide the following calculations (§19-303.B.1): a. Required volume storage for each infiltration pit based on coverage from each side of the lot, b. Provided volume storage for each infiltration pit, c. The dimensions of infiltration trench #1 and #2 differ between the plans and SWM calculations. Correct the discrepancy and resubmit SWM calculations, (2) it shall be the developer's responsibility to verify if the project site is underlain by carbonate geology. The following note shall be attached to all stormwater management plans and signed and sealed by the developer's registered professional: "I, _____ certify that the proposed stormwater management facility (circle one) is/is not underlain by carbonate geology.", (3) a minimum 20-foot-wide drainage easement providing access from a public right-of-way shall be provided for all stormwater management facilities (§19-401.3.A). Provide a note on sheet 5 explaining the purpose of the proposed stormwater easements, (4) 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 (§19-401.E.11), (5) the signature and seal of the professional Engineer and Surveyor shall be included on the plan (§19-401.E.19), and (6) 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 (§19-602.1).

Motion by S. Parthree and seconded by M. Cashman to conditionally approve PL 23-8 - Solar Renewable Energy Preliminary P /LD Plan - 5370 Harmony Grove Road - Ag District with all of the outstanding items as listed above, as presented. **Passed** with 5 ayes.

TOWNSHIP MANAGER REPORT, L. OSWALT

Approval of Change Order #4 for Monacacy Valley Electric for the Fire Department Dorm project in the amount of \$11,101.21

Manager Oswalt stated that the change order is due to the unexpected discovery of conduit in the floor of the old dorm area. The conduit will be removed back to the electrical panel and new conduit will run above the floor.

Motion by C. Richards and seconded by M. Cashman to approve Change Order #4 for Monacacy Valley Electric for the Fire Department Dorm project in the amount of \$11,101.21, as presented. **Passed** with 5 ayes.

Approval of the following payment applications for the Fire Department Dorm Project:

Monacacy Valley Electric Payment Application #9 in the amount of \$15,140.35
SSM Payment Application #7 in the amount of \$35,779.32

Motion by M. Cashman and seconded by C. Richards to approve Monacacy Valley Electric Payment Application #9 in the amount of \$15,140.35 and SSM Payment Application #7 in the amount of \$35,779.32, as presented. **Passed** with 5 ayes.

Manager Oswalt noted that the Fire Dorm Project is scheduled to be complete and ready for occupancy around November 28. However, the generator will not be arriving until February 2024 so the project will remain open until the new generator has been installed and is functioning properly.

Approval of the 2024 Dover Township Non- Uniformed Municipal Pension Plan Minimum Municipal Obligation

Manager Oswalt stated this is an item that is approved every year for the State which signifies the amount that should be put into the plan based on projections of staff salary for next year.

Motion by M. Cashman and seconded by S. Parthree to approve the 2024 Dover Township Non-Uniformed Municipal Pension Plan Minimum Municipal Obligation, as presented. **Passed** with 5 ayes.

Discussion and direction on how to proceed with financing the Dover Township Municipal Office Addition under a bond issue in 2023

Manager Oswalt stated that the Board was provided with an updated money discussion from PFM Financial Advisors. The three options of borrowing are \$5 million dollars, \$6 million dollars, or \$8 million dollars. The projection of the addition on the current building is somewhere in the \$7 million dollar range depending on what all is included with the project. There has been money budgeted in 2024 for the \$8 million debt service payment.

R. Stone stated that he is in favor of borrowing the \$8 million dollars.

Manager Oswalt stated that if the Board is in favor of borrowing the larger dollar amount, the Resolution or Ordinance will include some type of language that states the remaining dollar amount out of the \$8 million dollars can be used for other projects within the Township.

Motion by R. Stone and seconded by S. Parthree to approve the \$ 8 million dollar bond for the Dover Township Municipal Office Addition, as presented. **Passed** with 5 ayes.

M. Cashman stated that almost every year he has been on the Board, the Township has borrowed money. He questioned whether there would be an ability to project for future projects to the extent that we could raise taxes incrementally and save the funds for these projects instead of borrowing. It seems disingenuous to be charging the residents interest.

S. Stefanowicz stated that prior to now, the interest rates have been extremely minimal, which has been part of the decision making process.

M. Cashman stated that roads, parks, etc., need to be improved regardless of the interest rate. If interest rates were at 14%, roads still need built and parks still need built.

R. Stone stated that it is a philosophical argument.

Manager Oswalt stated the Township would not be prohibited from raising a tax to put money aside for particular projects should they choose to do so.

Discuss shortfall in the Recreation Programming Budget

Manager Oswalt stated that in late July, the Treasurer noted that there were not enough funds in the Recreation Budget to reimburse the General Fund for bills that month. As such, \$50,000 was moved from the General Fund to the Recreation Fund. The matter was discussed with the Recreation Director and the Liaison Board member, and the 2024 Recreation Budget is projected to carry funds over into 2025. However, at least another \$50,000 should be moved to the account to make sure bills can be paid in the early part of 2024 without issue. The Board needs to authorize a transfer of funds via Resolution. The money would essentially come from capital reserve funds.

R. Stone questioned where the shortfalls were located in the budget.

Manager Oswalt noted that the projection of the carryover for the 2023 budget year in had the fund carrying too large of a balance and revenues were down in comparison to expenses in programming and events. Also, the Recreation Plan was paid from this fund, which is not a normal expense from this funding. This plan costs approximately \$75,000 to complete.

R. Stone stated that the recreation department is exceptional, and he is pleased with what the Recreation Director provides for the Community.

Manager Oswalt stated that the Township does not make much money off of the programming events that are put together by the Recreation Director. There are some events and programming that does make money, but a lot of the events are free. Even with charging for summer playground, the Township still loses money.

Consensus of the Board was to move forward with granting the Recreation department an additional \$100,000.00.

Manager Oswalt noted that they have received a Board Volunteer application. The applicant stated that they are willing to serve on any of the Boards. There is currently an open alternate position for the Zoning Hearing Board and there is a possibility that we could lose another member on the Zoning Hearing Board at the end of the year. When an application is submitted

there is an interview conducted by the Board. If the Board would like to interview the applicant, she will set up the interview for the last meeting in October.

The Board was all in favor of interviewing the applicant during a work session for the last meeting in October.

RECREATION DIRECTOR'S REPORT

Manager Oswalt stated the following events are upcoming for Dover Township Recreation:

Dover Days is a two-day event; October 7 from 11AM-6PM at Brookside Park and October 8 from 12PM-4PM at Union Fire and Hose.

MS4 UPDATE

M. Fleming stated that Weis Markets has removed 20 triaxles of sediment from the stormwater basin. The seeding and mulching still needs to be completed.

OLD BUSINESS

2020 Joint Comp Plan -Nothing to note.

COMMENTS FROM THE BOARD

No comments were offered.

COMMENTS FROM THE PUBLIC

Jeff Bender from 4780 Carlisle Road questioned which roads will be closed for the Homecoming Parade on September 28 and for how long.

Manager Oswalt stated the Parade will be from Dover Elementary School to the Middle School, so only Canal Road will be closed. She is unsure how long the road will be closed since that section of road is in Dover Borough.

J. Bender questioned if there was an update on the traffic circle for the intersection at Harmony Grove Road and Carlisle Road.

T. Myers stated nothing has been submitted to PennDOT. It is hard to move forward with a plan that requires additional land from property owners.

J. Bender stated that the developer asked for an easement for emergency access and utilities and the church unanimously declined.

T. Myers questioned what J. Bender's status is with the developer in regard to the developer purchasing the property.

J. Bender stated the developer paid for a commercial appraisal of the property. If the developer offers to pay the amount that the property was appraised for, the church will decline. The amount the property was appraised at is not enough money to buy a new property and build a new church.

With no further business, Chairman Stephen Stefanowicz concluded the Board of Supervisors meeting at 8:03 PM and the full Board of Supervisors then entered into an Executive Session to discuss union wages and property acquisitions associated with the Intermediate/Harmony Grove/74 traffic circle.

Respectfully submitted by: Brooke M. Scarce

Brooke M. Scarce, Township Secretary