

**DOVER TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
November 27th, 2023**

The Dover Township Board of Supervisors for Monday, November 27th, 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; Chalet Harris, Parks and Recreation Director, and Brooke Scarce, Township Secretary. There were 7 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 draft Brookside Park Master Plan and feasibility study results for the driving range project.

APPROVAL OF THE WORK SESSION MEETING MINUTES FOR NOVEMBER 13TH, 2023

APPROVAL OF THE REGULAR BOARD OF SUPERVISOR MINUTES FOR NOVEMBER 23RD, 2023

Motion by S. Parthree and seconded by R. Stone to approve the Work Session Minutes from November 13th, 2023, and the Regular Board of Supervisor Minutes from November 13th, 2023, as presented. **Passed** with 5 ayes.

TREASURER'S REPORT

APPROVAL OF THE NOVEMBER 16TH, 2023 WARRANT IN THE AMOUNT OF \$306,829.16

APPROVAL OF THE NOVEMBER 22ND, 2023 WARRANT IN THE AMOUNT OF \$1,043.34 (LIQUID FUELS)

APPROVAL OF THE NOVEMBER 22ND, 2023 WARRANT IN THE AMOUNT OF \$58,894.84 (2020 BOND)

APPROVAL OF THE NOVEMBER 27TH, 2023 WARRANT IN THE AMOUNT OF \$331,611.67

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

PUBLIC COMMENT

Wanda Stover from 1280 Butter Road questioned if there is an update on Butter Road from the

previous meetings.

T. Myers stated that he is going to discuss Butter Road once they get to his report.

Manager Oswalt stated that T. Myers is not specifically talking about Butter Road but will be discussing the intersection at Fox Run Road and Canal Road.

W. Stover questioned when Butter Road is going to be on the agenda again.

T. Myers stated that he is hoping to be able to provide more information at the December 11th meeting.

W. Stover questioned if the Board is moving forward to complete a study for an alternative route.

T. Myers stated there was discussion about possibly completing an alternative route study and what the cost would be if the Board wanted to have the study completed.

Manager Oswalt stated that there was no decision from the Board about the alternative route study.

ENGINEER'S REPORT, T. MYERS

Fountain Rock Bond

DH Funk paving contract - \$5,000 retainage release

T. Myer stated that the wearing course was completed the week of July 24, 2023. It was recommended to retain \$5,000.00 to cover any necessary weed killing and resealing of the curb line this fall. A reinspection of the roads was completed, and no weeds were present. He is recommending that the Board approve to release the \$5,000.00 to DH Funk.

Motion by R. Stone and seconded by S. Parthree to approve release of the \$5,000.00 retainage to DH Funk, as presented. **Passed** with 5 ayes.

Development sidewalk – 3300 Cardinal Lane

T. Myers stated that the property owner was very receptive to having the sidewalk installed. He is proposing that the sidewalk is going to maintain the 3-foot grass strip until they get to 3300 Cardinal Lane. At that point, it will transition to a sidewalk behind the curb and eliminate the grass strip and then before the driveway it will transition back into a grass strip. The property owner's mailbox will then be moved next to the driveway. The upgraded concrete steps are still up for discussion with the property owner. Once the property owner decides, he will then reach out to Alison Concrete to get an estimate for how much the project will cost.

Ashcombe Farms South December Street Adoptions

T. Myers stated that he met on site with the developer on May 23rd, 2023, to go over outstanding items. The E&S controls have been removed from the inlets and the Township crew completed video inspection of the storm sewers. The scratch course was placed on Monday, September 18th and the wearing course was placed on Tuesday, September 19th. The developer indicated that he will be sending a letter requesting the Township to consider adoption of those streets at the December meeting.

M. Fleming stated that the developer is still working through the storm sewer punch list.

C. Richards stated that he's not in favor of adopting the road until all the punch list items have been completed.

T. Myers stated that he does not want to tell the developer to gather information to complete the road adoption if the Board is not in favor of adopting the road at the December meeting.

The general consensus was if the remaining work was completed and the Liquid Fuels equivalent funds were provided by the developer, adoption would be considered.

T. Myer stated that for informational purposes he met with Chuck Richards and the Public Works Director at Fox Run Road and Canal Road. A survey of the intersection was completed in 2000. He has information to put sketches together to come up with a cost estimate.

C. Richards stated that if the project would move forward, the Township would more than likely need an extra 10 feet along Fox Run Road.

T. Myers wanted to confirm that he should continue forward with a preliminary layout of the intersection and cost opinion for the next meeting. The general consensus of the Board was to continue forward as noted.

ZONING OFFICER REPORT, J. MCLUCAS

Waiver Request §22-708.6- Driveway Width for 6480 Crone Road- Darrell Strine

J. McLucas stated that the driveway is not inspected until the end of the project, however there was a resident that complained about the width of the driveway. The driveway width is currently 104 feet, which is outside the requirement of 24 feet. There is commercial business at this property and needing the extra width of the driveway is a priority for the property owner. The driveway that is there now was pre-existing before the property was subdivided.

D. Strine stated that the Township road is only 18 feet wide and trying to get a 68-foot tractor trailer to turn in the driveway is not safe. The driveway has been paved and he got the go ahead from the Township Roads Crew before paving the driveway. The driveway is larger than most, but it is to keep the tractor trailers out of the culverts.

Motion by R. Stone and seconded by S. Parthree to approve Waiver Request §22-708.6- Driveway Width for 6480 Crone Road- Darrell Strine, as presented. **Passed** with 5 ayes.

Hines Warehouse Extension

J. McLucas stated they are still working on a developer's agreement; however, we need to extend the time to review the warehouse plans due to requested revisions.

Motion by R. Stone and seconded by M. Cashman to approve the Hines Warehouse Extension, as presented. **Passed** with 5 ayes.

Zoning Update Discussion

J. McLucas stated he provided the Board with a copy of the minutes from the Planning Commission meeting regarding the Zoning Update. There are still three parts that they would like to complete a final review on, which are the Part 1 Definitions, Part 4 Use Chart, and Part 6 Specific Standards. They have now forwarded all of the other parts to the Board as amended and edited for consideration.

S. Stefanowicz stated that regarding the solar section, he thinks the original ordinance was fine and does not agree with narrowing which zones can and cannot have solar farms. Allowing solar panels in agricultural zones, the agricultural community will not be harmed.

M. Cashman stated that he disagrees, the USDA does not recognize solar panels as an agricultural activity and the York County Planning Commission does not recognize it either. His recommendation is that they only allow solar farms in commercial and industrial zoned districts.

S. Stefanowicz stated we are taking the opportunity away from property owners to use their property as they see fit. Adding solar panels to an agricultural zoned district does not deplete the land, it provides another way for that person to make money.

M. Cashman expressed that he does not agree with companies buying farmland just to add solar panels when they are not the ones who have to drive past it every day.

Manager Oswalt stated that we cannot regulate that in the zoning. We have to allow by zone no matter who owns the property.

C. Richards stated there are changes to how solar panels are being installed. There are some farm animals that are allowed in the fenced area with the solar panels and some crops can even be grown between the panels.

T. Myers stated that there was a compromise proposed at the Planning Commission meeting by a resident to set a limit on how much land per parcel could be used as a solar farm.

Manager Oswalt stated thought should be given to setting a limit because there are other requirements that need to be met and if the land is too small it will not meet all the requirements.

C. Richards stated that a farm that is in ag-preservation cannot install solar panels on the property. The Federal Government has paid the property owner for the building rights stating that they can only farm the land.

J. McLucas stated that he is asking for a consensus of the Board as to which zones should be allowed to have ground mounted solar placed as a large-scale energy production. He provided the Board with a copy of the revised solar ordinance because it has been much commented on section.

Manager Oswalt stated that once the Board approves the ordinance, it has to be sent to the York County Planning Commission for their review. The County has up to 45 days to review it and comment. After which a public hearing will need to be scheduled to pass the ordinance by the Board of Supervisors.

Consensus of the Board was to allow ground mounted solar farms in the following districts: Commercial, Industrial, Agriculture, and R1.

J. McLucas stated that the only other thing he would like to add to the solar farm section of the ordinance is to require an agricultural looking fence in the agricultural district.

M. Cashman stated that he has read through the signage section of the ordinance but would like to read it again.

S. Parthree stated that he read that section of the revised ordinance and did not quite understand the language.

J. McLucas stated that the maximum signage that can be added to a building will not exceed 5% of the building face which would also be calculated into how much aggregate can be added to the property as a whole. For any illuminated signs, anything over 32 square feet cannot be internally lit.

C. Richards questioned if the signage is on the building and part of the architectural design why that is considered a sign.

J. McLucas stated that the definitions in that section tell you how to determine a size, what's included in it, what is and isn't considered a sign, etc. If there are parts of that section that the Board does not agree with, he would like to know.

R. Stone questioned if our sign ordinance is too restrictive.

J. McLucas stated that the revised sign ordinance is more relaxed than the current sign ordinance.

Manager Oswalt stated that signage on Carlisle Road might be acceptable on a larger scale than in other locations of the community.

TOWNSHIP MANAGER REPORT, L. OSWALT

Approval of Resolution 2023-28 Adopting the 2024 Budget

Motion by R. Stone and seconded by C. Richards to approve Resolution 2023-28 Adopting the 2024 Budget, as presented. **Passed** with 5 ayes.

Approval of Resolution 2023-29 Setting the Real Estate Tax Rate for 2024

Motion by C. Richards and seconded by S. Parthree to approve Resolution 2023-29 Setting the Real Estate Tax Rate for 2024, as presented. **Passed** with 5 ayes.

Approval of Resolution 2023-30 Setting the Tax Rates for all taxes other than Real Estate for 2024

Motion by M. Cashman and seconded by R. Stone to approve Resolution 2023-30 Setting the Tax Rates for all taxes other than Real Estate for 2024, as presented. **Passed** with 5 ayes.

Approval of the following Payment Applications for the Fire Department Dorm Project:

Payment Application #11 to Monacacy Valley Electric, Inc. in the amount of \$37,220.32

Payment Application #9 to East Coast Contracting, Inc. in the amount of \$84,048.25.

Motion by C. Richards and seconded by S. Parthree to approve Payment Application #11 to Monacacy Valley Electric, Inc. in the amount of \$5,622.77 and Payment Application #9 to East Coast Contracting, Inc. in the amount of \$84,048.25, as presented. **Passed** with 5 ayes.

Approval of Change Order #9 with East Coast Contracting, Inc. for the Fire Department Dorm Project in the amount of \$5,622.77

Manager Oswald stated that the Board was provided with a letter that outlines the cost breakout for some minor items that were requested to finalize the general contracting portion of the project.

Motion by C. Richards and seconded by S. Parthree to approve Change Order #9 with East Coast Contracting, Inc. for the Fire Department Dorm Project in the amount of \$5,622., as presented. **Passed** with 5 ayes.

Approval of Change Order #1 and #2 with Triangle Fire Protection for the Fire Department Dorm Project in the amounts of \$6,000.00 and \$1,800.00

Manager Oswald stated that there was an issue with the spacing of the sprinkler heads and their water capacity in the existing system. They did not meet the code resulting in the need for \$6,000.00 more in work to be completed. In addition, there were several couplings that were leaking after ceiling tile was removed in an area of the building that was not scheduled for their work.

Motion by C. Richards and seconded by R. Stone to approve Change Order #1 and #2 with Triangle Fire Protection for the Fire Department Dorm Project in the amounts of \$6,000.00 and \$1,800.00, as presented. **Passed** with 5 ayes.

Manager Oswalt stated that there is a meeting this week with PennDOT regarding the intersection at Bull Road and Canal Road. From previous conversations with the Board, she will be forwarding the message that the Township is in favor of a roundabout for that location.

PUBLIC WORKS REPORT, M. FLEMING

Acceptance of the high bidders for the list of items on MunicibiD as detailed in the Public Works Director Report

M. Fleming stated that there was one item that did not meet the reserve, so we are going to hold onto that item and try to sell it again the next time we have other items that need to be sold on MunicibiD.

Motion by R. Stone and seconded by S. Parthree to accept the high bidders for the list of items on MunicibiD, as presented. **Passed** with 5 ayes.

Award the annual preventative maintenance and repair contract to C.M. High Inc. for the Traffic Signal Maintenance Bid

M. Fleming stated that the annual preventive maintenance costs would be \$3,150.00 and response maintenance costs would vary based upon the rate schedule for the type of work completed over three years. The new contract would begin March 1st, 2024.

Motion by C. Richards and seconded by R. Stone to award the annual preventative maintenance and repair contract to C.M. High Inc. for the Traffic Signal Maintenance Bid, as presented. **Passed** with 5 ayes.

RECREATION DIRECTOR'S REPORT

C. Harris stated the following events are upcoming for Dover Township Recreation:

December 1- Parents Night Out at the Community Building

December 8- Sensory Santa at Brookside Park

December 9, 16, and 17- Brookside Christmas

December 14 & 19- Storytime with Mrs. Claus at the Community Building

MS4 UPDATE

There are no new updates at this time.

COMMENTS FROM THE BOARD

M. Cashman stated that at the last meeting a resident had asked about Northern Regional having scales for tractor trailers to weigh them and it is something that can be added in the future but at this point they are not working towards getting scales. Northern Regional is looking to hire someone who would be able to inspect commercial vehicles; however, there is a partnership with the incinerator where Northern Regional can take commercial vehicles there to get weighed.

R. Stone stated that Dave Hogeman will be resigning his position as the treasurer for the Sewer Authority effective December 31st, 2023. Tyler Lerman will be filling his term and position on the Sewer Authority and is asking the Board for a motion to allow T. Lerman to fill the position.

Manager Oswalt stated that the Board will appoint T. Lerman to the Sewer Authority at the Reorganization Meeting on January 2nd, 2024, since Mr. Hogeman's term expires at the end of 2023.

COMMENTS FROM THE PUBLIC

Marie McInerney from 6331 Salem Run Road stated that she goes by Bowman Road every day and has noticed that they have a sign that says, "No Trucks over 25 Feet". She is not aware of the Butter Road situation but thought it would be helpful to the Board.

M. McInerney questioned the status of the Enel Solar Project plan.

J. McLucas stated that they have not resubmitted new plans yet but have intentions of submitting a new plan within a month.

M. McInerney questioned if there was a deadline for when the plan had to be resubmitted.

Manager Oswalt stated there is a legal requirement that the Township has to act on the plan, but they have to address the comments that were provided by the Township. Enel has submitted a waiver to extend the deadline due to not having enough time to address all the comments that were submitted to them.

M. McInerney questioned the timeline of the Zoning Ordinance and when the revised version will be available to the public.

J. McLucas stated that once there is a consensus on the final draft, it will be advertised and available on the website.

Manager Oswalt stated that there will be a Public Hearing held.

Gina Myers from 1046 Rohlers Church Road questioned if the York County Planning Commission has to approve the Zoning Ordinance.

J. McLucas stated no, they do not approve of the ordinance, but the Township is required to send it to them and allow them to offer comments about the ordinance.

Manager Oswalt stated that if the York County Planning Commission offers a comment, the Board has the option to accept the comment and make a change or they can move to adopt the ordinance without addressing the comment.

G. Myers questioned if the public will be able to provide comments about the Zoning Ordinance.

C. Rausch stated that once the ordinance is online, the public can submit comments if they choose to. The comments will be reviewed and considered.

Mary Hamm from 1501 E Canal Road questioned if there will be access to the warehouse from Fox Run Road.

J. McLucas stated that the main entrance will be on Bull Road. Fox Run Road will only be used for emergency vehicle purposes.

With no further business, Chairman Stephen Stefanowicz concluded the Board of Supervisors meeting at 8:43 PM and the full Board of Supervisors then entered into an Executive Session to discuss personnel matters.

Respectfully submitted by: Brooke M. Scarce

Brooke M. Scarce, Township Secretary