

**DOVER TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
May 13th, 2024**

The Dover Township Board of Supervisors for Monday, May 13th, 2024, was called to order at 7:02 PM by Chairperson Stephen Stefanowicz in the Dover Township Board of Supervisors meeting room. Supervisors present were Charles Richards, Michael Cashman, Robert Stone and Stephen Parthree. Other Township Representatives in attendance were Laurel Oswalt, Township Manager; Christian Miller, Township Solicitor; Michael Fleming, Public Works Director; John McLucas, Zoning Officer; David Lash, Northern Regional Police Chief; Gregg Anderson, Northern Regional Police Lieutenant; and Brooke Scarce, Township Secretary. There were 28 members of the public present.

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

APPROVAL OF THE REGULAR BOARD OF SUPERVISORS MINUTES FOR APRIL 22ND, 2024

Motion by R. Stone and seconded by S. Parthree to approve the Regular Board of Supervisors Minutes for April 22nd, 2024, as presented. **Passed** with 5 ayes.

PUBLIC HEARING ON ORDINANCE NO. 2024-01 COMPREHENSIVE ZONING ORDINANCE REVISIONS

A Public Hearing on Dover Township Ordinance No. 1 was opened by Attorney Christian Miller at 7:02 PM in the meeting room of the Dover Township Municipal Building.

R. Stone questioned about the tree removal process in the conversation district, specifically regarding solar farms in the conservation district.

J. McLucas stated that the removal of trees is the same across the board no matter what someone is planning to do with the property. In a conservation district, the property owner is only allowed to remove so many trees. That applies when building a house in that area or adding a solar farm.

C. Richards stated that 27% of the agriculture zone is already in agriculture security. The ordinance allows for solar farms to be placed on classes 1, 2, and 3, however, he has spoken with the farmers who have their land in the security, and they do not want to take their land out of agriculture security because they plan to stick it in agriculture preservation in the future. He also explained that on a solar farm there is 20 foot access area to allow room for fire apparatus. The Dover Township Volunteer Fire Department has been trained and is well equipped if there is a solar farm fire.

J. McLucas stated the Planning Commission spent a lot of time on the revisions of the Ordinance, they have been reviewing and updating the Ordinance for months to get to the point

of adoption. The York County Planning Commission also reviewed the Ordinance and had very little comments to offer. The comments that were offered were easily addressed.

S. Stefanowicz thanked the Planning Commission members. It was a lengthy process.

C. Miller opened the Public Hearing to public comment.

Edward Kopsick from 3402 Jodi Lane questioned if there is any data to support the safety of solar farms and what is the probability of one of the solar farms catching on fire.

C. Richards stated thus far the data indicates there are few fires, however, solar farms are a newer use.

Gina Myers from 1046 Rohlers Church Road questioned a word that is proposed to be deleted from the Ordinance, the word being morals. She disagrees with removing the word morals from multiple passages. She thinks that removing that word is a mistake because the word morals was added by the State Legislature into the Municipal Planning Code and would also be a mistake for the Supervisors to get rid of their own authority to regulate morals. You can't make someone believe a certain way, but you can regulate their actions.

R. Stone questioned if she brought this up to the Planning Commission.

G. Myers stated that she did bring it to the Planning Commission's attention.

R. Stone questioned if the Township would be giving up rights based on the removal of the word morals.

C. Miller stated that the removal of just that word would not impact the enforcement of the Zoning Ordinance.

R. Stone questioned why the Planning Commission removed the word morals from the Ordinance to begin with.

J. McLucas stated there was no malicious intent behind removing the word, it was just the thought process of the things that we ask the Government to do. There are other institutions that regulate morality.

C. Richards stated that if the word is included in the Ordinance and someone is breaking it, we can refer it to the police.

Manager Oswalt stated that there are certain issues that the police would handle to begin with because there are laws that are not in the Zoning Ordinance that they handle.

C. Miller stated the word morals is included in the purposes section of the Zoning Ordinance not in the enforcement language sections. The rest of the Ordinance through the regulations is where you get the enforcement power.

Manager Oswalt stated that for example, if there is an adult oriented facility in the Ordinance, there are regulations about where they can go and how it must be developed. Removing the word does not stop the Township from addressing it.

C. Miller stated that if the Board would like to add the word back in, that is fine, but it will not make a difference either way in the ability to enforce the regulations.

With no further comments from the public, Attorney Christian Miller concluded the Public Hearing at 7:21 PM.

TREASURER'S REPORT

APPROVAL OF THE APRIL 30TH, 2024 WARRANT IN THE AMOUNT OF \$67,123.27

**APPROVAL OF THE MAY 9TH, 2024 WARRANT IN THE AMOUNT OF \$58,433.54
(2020 BOND)**

**APPROVAL OF THE MAY 9TH, 2024 WARRANT IN THE AMOUNT OF \$6,108.85 (2022
WATER BOND)**

**APPROVAL OF THE MAY 9TH, 2024 WARRANT IN THE AMOUNT OF \$46,065.75
(LIQUID FUELS)**

**APPROVAL OF THE MAY 9TH, 2024 WARRANT IN THE AMOUNT OF \$2,070.00
(EAGLE VIEW PH II)**

APPROVAL OF THE MAY 13TH, 2024 WARRANT IN THE AMOUNT OF \$531,867.28

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

PUBLIC COMMENT

E. Kopsick stated he has reviewed the Transportation Impact Study for the proposed Warehouse project, and it is estimated that there will be 1,619 vehicles daily within a 24-hour period during a typical work week. He drives through that intersection every day to and from work. The recommended road improvements are limited to adding a few hundred feet of turning lanes at key intersections and installing traffic lights. There is no mentioning of widening any road. He questioned what the next steps for the project are to move forward to be approved and who gets the final say in approving the project.

C. Miller stated that the next step would be a preliminary plan approval which is completed by the Board of Supervisors. However, there are still a few items from staff and engineering comments that need to be made before the matter will be on the Board's agenda for preliminary plan approval. He does not think the Board will see the preliminary plan until July. After that, the developer can start some preliminary work but will still need to come back to the Board to get final plan approval. As for residents, they can continue coming to the public meetings and be informed as possible.

E. Kopsick questioned if the Board is interested in the traffic impact that he previously

discussed.

C. Miller stated that he cannot speak on behalf of the Board members. The plan is still under preliminary review and to ask them to comment on the plan would be premature since they have not seen the plan yet.

E. Kopsick stated he has concerns over PennDOT making the decision of the traffic study issue.

R. Stone stated that the Board has the ability to approve or deny a plan based upon the regulations that are set. The Board cannot say that they do not want a Warehouse when it is an allowed use within the zoning district. If what a developer is presenting meets Township regulations, then the plan must be approved to not do so would place the Township and its residents in a legal battle to which we would likely lose.

E. Kopsick questioned that if the Board does approve the plan because it meets all the requirements, is there a higher level to take these concerns to about the Warehouse.

Manager Oswalt stated that there is no higher level to take the concerns to. The plan has been filed and the land is zoned industrial. If they meet the regulations, they can get preliminary planning approval. Once they get the preliminary plan approval, the Township will mainly be waiting for all other outside agencies to say whether or not they will grant their approvals. This includes PennDOT and DEP.

J. McLucas noted that the Township pushed out a Frequently Asked Questions informative piece that was shared two weeks ago on the website and Savvy Citizen. Much of this information is available there.

C. Miller stated that the staff is trying to identify anything they see that is an inaccurate on social media and update the FAQ to make sure the most accurate information is available to the public because there are certain items that are circulating on social media that are not correct.

Bob Gilbert from 3230 North Wynd Avenue questioned if the Board has the final approval on road conditions.

R. Stone stated that they do not have final approval for road conditions on PennDOT roads.

Manager Oswalt stated that PennDOT will issue their Highway Occupancy Permit and they will be the ones to establish the required road improvements. However, there was a scoping meeting to determine what areas the Township thought should be considered and there were nine areas identified. PennDOT then limited the scope to three or four intersections.

Manager Oswalt stated that there is a survey link available from York County about the Congestion Management Plan that residents can use to voice how they feel about traffic within the County.

Pat Pizza from 1735 Temple School Road questioned why the Township cannot restrict truck

traffic on Bull Road.

C. Richards stated that Bull Road is a state road.

P. Pizza stated that he and other residents have been in contact with the State Representative that handles Local Government Ordinances. After speaking with the State Representative, he believes the Representative to not be in favor of the traffic light at the intersection of Bull Road and Canal Road.

S. Stefanowicz stated that based on the information available to the Township, the developers have been instructed by PennDOT to signalize the intersection before any of the warehouse buildings are built.

A member of the public from the Little Creek Farms development stated that the municipalities can restrict truck traffic on state roads.

NORTHERN REGIONAL POLICE UPDATE

G. Anderson stated they are currently going through the yearly firearms training. They are currently working on different acronyms for police officers to be able to work as teams and individually during active shooter events. This would allow for off duty officers to respond to the call and be the acting supervisor until someone on duty arrives. They are also currently dealing with AI calls within the Township, they had received two today.

R. Stone questioned if there have been any accidents at the intersection of Canal Road and Davidsburg Road since installing the all way stop.

G. Anderson stated that thankfully there has not been any accidents.

D. Lash stated that overnight there was a vehicle theft at Thornton Automotive. The culprits were trying to get a vehicle off the showroom floor and were unsuccessful, however they still were able to steal one car off the lot.

S. Parthree questioned if they were able to identify the AI they received.

G. Anderson stated they have not been able to identify the call. They were able to track the phone number, but it was traced to a resident who lives in Florida.

M. Cashman stated that Northern Regional is going through the process of rewriting the charter. The first edited version of section one through four has been released today via email. The Board will be included in the process of reviewing the charter. He questioned if the Board would like to see the sections as they are edited or as a whole once the whole charter has been edited.

Manager Oswalt stated that the draft charter is about 20 pages total, she and the solicitor did review the initial draft.

D. Lash stated that he thinks there will be two sections that will garner a lot of discussion. The sections being the cost to join the police department and any potential cost to leave. The final draft will be sent and reviewed by the municipalities they serve. Passage of the charter will require a 2/3 vote of the member municipalities to vote in favor of the charter. The charter is not brand new, it is an update. The last time the charter was revised was approximately 40 years ago.

S. Stefanowicz stated that he personally would like to review the edits every now and again as opposed to reviewing it all at once.

Manager Oswalt stated that she will send out the version she has to the Board members tomorrow for them to review.

SOLICITOR'S REPORT

Approval of Ordinance 2024-01- Zoning Ordinance/ Map Update

C. Miller stated that if there is no further discussion they can make a motion to approve Ordinance 2024-01.

Motion by S. Parthree and seconded by R. Stone to approve Ordinance 2024-01 with the amendment of including the word morals in section 27.102.1G, as presented. **Passed** with 5 ayes.

Butter Road- Truck Restriction Ordinance

D. Lash stated that on October 30th, 2023 he provided Manager Oswalt with a letter discussing Butter Road traffic. Over the past 5 years between the January 1, 2018 through October 24, 2023, Dover Township had a total of 1,868 crashes, 8 of them happened on Butter Road. There was a total of 38 crashes on Oakland Road excluding the intersections at Oakland Road at Carlisle Road and Oakland Road at Emig Mill Road. There were 56 crashes on Fox Run Road excluding the intersections at Fox Run Road at Carlisle Road and Fox Run Road at East Canal Road. Oakland Road and Fox Run Road are two examples of roadways with higher crash and speed data. There is speeding on Butter Road but there are worse roads in the Township that have more speeding problems. The traffic volume on Butter Road is like many other Township roads. In fact, there has not been a tractor trailer related crash on Butter Road in the past 20 years.

G. Anderson stated that in the Pennoni traffic study it stated there was three accidents involving trucks which were later identified as pick-up trucks and not tractor trailers.

D. Lash stated that intersections that need improvement prior to truck limitations are as follows: Bull Road at Butter Road, Bull Road at Canal Road, Fox Run Road at Butter Road, Fox Run Road at Canal Road, Canal Road at Main Street, completion of Intermediate Avenue extension, completion of the traffic circle at Harmony Grove Road and Carlisle Road, and completion of Raycom Road extension. He stated that he would also like to give credit to Dover Borough for taking so much of Dover Township's truck traffic on Meadow Road, the Borough does not benefit from taking on so much of the truck traffic. He often wonders what keeps the Borough for not passing a truck restriction ordinance for Meadow Road and if they were to pass an

ordinance what roads would the tractor trailers use.

R. Stone questioned if the Board would be creating a safety problem by not allowing tractor trailers on Butter Road.

D. Lash stated that there will be other issues and safety problems caused by not allowing tractor trailers on a road that is designed for them. By taking trucks off Butter Road the traffic will decrease on that road but it will make all other intersections noticeably worse.

Sean Summers from Summers Nagy Law Office representing Pro Pallet stated that the President, Mark Schaffer was not available to attend the meeting tonight but did provide a letter to the Board which is attached to the minutes for reference.

Neal Lamparter from 1029 Butter Road stated that he has no problem with the businesses or the people who own the businesses, his problem is with the truck drivers themselves. There was a contractor who recently did not tarp their truck and left mulch on Butter Road, but a phone call was made, and it was corrected.

Wanda Stover from 1280 Butter Road stated that in the traffic study it states that the trucks on Butter Road is a safety issue because they cannot make turns at Nursery Road or Bull Road, however they can make the turn on Meadow Road. She questioned if an accident involving a tractor trailer would result in Township liability.

C. Miller stated that he cannot answer that because there are many other factors he would need to know. There is Government immunity for some matters, and her question was too speculative.

S. Stefanowicz stated that a truck turning at Nursery Road or Bull Road from Butter Road is not the best, however for the past 20 years Butter Road is what trucks have used and have not had any accidents. There are funds allocated to fix the curve and fix the corner at Butter Road and Bull Road to make it safer for truck traffic.

W. Stover stated that the Board was in agreement that there are safety issues on Butter Road and does not want them to lose focus just because there have been no accidents on that road within the past 20 years.

M. Fleming stated that the study was initiated due to residents on Butter Road. Last year it was budgeted to make the improvements at the curve and the intersection of Bull Road and Butter Road based on the study.

W. Stover stated the Board agreed to restrict the trucks on Butter Road and move the funds to complete the Fox Run Road and Canal Road intersection improvements.

Manager Oswalt stated that the Township is not far enough along with the completion of that study to make the improvements at Fox Run and Canal Roads. It is difficult to restrict the trucks on Butter Road until there is an effective answer that does not cause more accidents elsewhere and especially where the available data indicates there are problems.

W. Stover questioned how many accidents are at the intersection Canal Road and Meadow Road.

G. Anderson stated that it was not provided on the information Chief Lash provided to Manager Oswalt, but he will get an answer.

Manager Oswalt stated that it is unfair to the Borough residents to send the trucks down Meadow Road. The Borough is not receiving any benefits from having the business in their community. The Township is trying to come up with a solution that considers all option and parties.

J. McLucas noted that the traffic study was specific to Butter Road itself. The traffic study did not look at what possible issues would be caused at other intersections if there is a restriction.

W. Stover questioned if the Nursery Road engineering study is being completed.

T. Myers stated that ELA Group has been authorized by the Board to move forward with a traffic study on Nusery Road and George Street.

C. Richards questioned if there are trucks on Butter Road between the hours of 10 PM and 6 AM.

The residents of Butter Road replied affirmatively.

Brian Klinger, the owner of Spring Valley Mulch stated that his personal trucks are on the road five days a week. Three of the drivers shifts start Sunday night starting at 4:30 PM, 6 PM, and 10 PM. The other trucks start between 3-4 AM but not all the truck drivers use Butter Road or even go in that direction. There are outside carriers who use a third-party contractor to stop into the facility. There was an issue with a truck not being tarped that he was made of and addressed the issue. He also hands out a memo to all the trucks coming in and out of his facility with rules while driving through surrounding Townships.

Tracy Inners from 810 Butter Road stated that there are trucks coming past her house all hours of the night.

B. Klinger stated he has drivers that drive overnight, and they start their shift late in the evening and finish early in the morning.

Mark Stover from 1712 East Canal Road stated that Canal Road is already a busy road as it is and he is not in favor of restricting truck traffic on Butter Road because that will only make Canal Road even busier. It is nice that there are alternative roads for trucks to use outside of the main roads.

S. Stefanowicz questioned if there are any more comments about the item or should the item be tabled.

R. Stone stated that he would like to address the issue and move on. Both Canal Road and Butter Road are both built to handle truck traffic. The reason why Butter Road was built to handle

trucks was because it was set as the industrial park in 1972. One big concern that is continually talked about is Canal Road at Carlisle Road. Even if the restriction goes into effect the exclusionary zone ends on the east side of Meadow Road. Our own Police Chief who is also a resident of Dover Township says that there are safety concerns if Butter Road is restricted to no truck traffic. The money needs to be used for what it is allocated for and fix Butter Road as it shows in the traffic study.

B. Klinger stated that there are alternative routes, however the alternative routes are more dangerous and harder for trucks to take the turns. Over the weekend he tested all the other possible routes. He came out to the intersection of Millcreek Road and Canal Road with a 45-foot-long trailer and was over the apron and all but in Neiman's Garage parking lot. He also came out of his facility, turned right and went to the intersection at Canal Road and Bull Road to turn right on Canal Road. He had to wait at the stop sign for people to back up and make enough room for him to make the turn. He then turned right in the square heading north on Carlisle Road and was up over the curb because there was not enough room for him to turn the tractor trailer. He was only using a 45-foot-long trailer but is legally allowed to use a 53 foot long trailers. Carlisle Road is going to be closed due to construction and the detour is using George Street and Nursery Road and that is going to make it more difficult for his trucks to make those turns, vehicles will have to stay back.

C. Miller stated that there will need to be a motion to table the agenda or a motion to remove it from the agenda. The Board cannot approve the Ordinance because it has not been readvertised.

Motion by R. Stone and seconded by M. Cashman to remove Butter Road- Truck Restriction from the agenda, as presented. **Passed** with 3 ayes, Charles Richards and Stephen Stefanowicz voted nay.

ZONING OFFICER'S REPORT, J. MCCLUCAS

PL-22-14 Buchmyer Pools: Waiver Request of §22-1103.11.B(2) – Screening

J. McLucas stated that the plan was approved by the Board on July 24th, 2023. The project is nearing completion, and the developer is requesting a waiver based on an enclosed letter that was provided to the Board.

William Pompeii with K&W Designing Environments stated a concern was brought to the applicant's attention regarding the buffering screens. The applicant is requesting a waiver and or modification of the 50% blockage of views at eye level at the time of planting. The letter is requesting to follow the plantings as shown on the approved plans and based on the minimum planting requirements with the ability to have 50% blockage by the second growing season.

J. McLucas stated the residents on Imperial Drive have been complaining about the screening requirement saying that there is not enough. He was on site today and took pictures which were presented to the Board members for their review.

Motion by M. Cashman and seconded by S. Parthree to approve PL-22-14 Buchmyer Pools: Waiver Request of §22-1103.11.B(2)- Screening, as presented. **Passed** with 5 ayes.

J. McLucas stated that he would like to recognize Garry Waltersdorf, the Township Codes Enforcement Officer. He has been dealing with the outdoor stockpiling of tires at Byer's Tires. He has done a wonderful job staying on top of this complicated enforcement issue.

MANAGER'S REPORT, L. OSWALT

Approval of Resolution No. 2024-17, amending the 2024 Budget to reallocate funds to the Creekside Village Basin Conversion Project

Motion by C. Richards and seconded by S. Parthree to approve Resolution No. 2024-17, amending the 2024 Budget to reallocate funds to the Creekside Village Basin Conversion Project, as presented. **Passed** with 5 ayes.

Approval of Payment Application #14 from Monacacy Valley Electric, Inc. in the amount of \$19,900.00 for the Fire Department Dorm Project

Motion by C. Richards and seconded by M. Cashman to approve Payment Application #14 from Monacacy Valley Electric, Inc. in the amount of \$19,900.00 for the Fire Department Dorm Project, as presented. **Passed** with 5 ayes.

Manager Oswalt stated that there could possibly be another change order at the next meeting. The change order would consist of bollards being placed in front of the generator which would prevent people from hitting the gas line and generator. The estimated cost is \$5,900.00. This is presently the only item holding up final occupancy. The staff discussed the option of using leftover guiderail to create the barrier needed but expressed concerns about it not looking as nice as bollards. Consensus of the Board was to move forward with the bollards.

Approval of the exoneration of \$10.48 in real estate taxes for 193 Shawnee Avenue (24-000-KG-0153-00-M1193)

Motion by R. Stone and seconded by M. Cashman to approve the exoneration of \$10.48 in real estate taxes for 193 Shawnee Avenue (24-000-KG-0153-00-M1193), as presented. **Passed** with 5 ayes.

Acknowledgement of the completion of the probationary period for Jeff Merrifield and Christian Smith, Water Operator Trainees

Manager Oswalt stated that no action is needed.

Manager Oswalt noted that we did receive the Water Quality Management permit from DEP for the Wastewater Treatment Plant.

PUBLIC WORKS DIRECTOR'S REPORT, M. FLEMING

Accept and Award to the following contracted Public Works bids

Full Depth Reclamation and Paving on Pinchtown Road to Stewart and Tate in the amount

of \$353,929.00

Motion by C. Richards and seconded by R. Stone to award the FDR and Paving on Pinchtown Road to Stewart and Tate in the amount of \$353,929.00, as presented. **Passed** with 5 ayes.

Reject the bid proposed by Miller Soil Solutions due to math errors

Motion by C. Richards and seconded by R. Stone to reject the bid from Miller Soil Solutions due to math errors, as presented. **Passed** with 5 ayes.

Street Cut Repairs to Shiloh Paving in the amount of \$166,200.00

Motion by C. Richards and seconded by M. Cashman to reject the bid from Miller Soil Solutions due to math errors, as presented. **Passed** with 5 ayes.

Aggregate- Items A1-14 to York Building Products in the amount of \$38,667.50

Motion by C. Richards and seconded by S. Parthree to award Aggregate- Items A1-14 to York Building Products in the amount of \$38,667.50, as presented. **Passed** with 5 ayes.

SUPERPAVE Mixtures- Items B1, 2, 3, and 5 to York Materials Group in the amount of \$40,195.00

Motion by C. Richards and seconded by S. Parthree to award SUPERPAVE Mixtures- Items B1, 2, 3, and 5 to York Materials Group in the amount of \$40,195.00, as presented. **Passed** with 5 ayes.

Cold Patch- Item C to Stewart and Tate in the amount of \$5,500.00

Motion by C. Richards and seconded by S. Parthree to award Cold Patch- Item C to Stewart and Tate in the amount of \$5,500.00, as presented. **Passed** with 5 ayes.

Acceptance of the high bidders and readvertisement of the following items

2003 Ford F550 Dump Truck- accept high bidder

M. Fleming stated that the highest bidder came in at \$14,500.00.

Motion by M. Cashman and seconded by S. Parthree to accept the highest bidder for the 2003 Ford F550 Dump Truck, as presented. **Passed** with 5 ayes.

Log Cabin- accept high bidder

M. Fleming stated that the highest bidder came in at \$1,550.00.

Motion by M. Cashman and seconded by S. Parthree to accept the high bidder for the Log Cabin, as presented. **Passed** with 5 ayes.

Neopost Folder Insert Machine- readvertise

M. Fleming stated that they received no bids and would like to readvertise the item with a lower reserve price.

Motion by S. Parthree and seconded by R. Stone to readvertise the bid for Neopost Folder Insert Machine, as presented. **Passed** with 5 ayes.

11' Viking Snowplow- readvertise

M. Fleming stated that they did not meet reserve and would like to readvertise the item with a lower reserve price.

Motion by S. Parthree and seconded by R. Stone to readvertise the bid for the 11' Viking Snowplow, as presented. **Passed** with 5 ayes.

Andover Utility Replacement Project

M. Fleming stated that the contractor has provided the maintenance bond.

Approval of Change Order #3 to Doli Construction in the amount of \$69,925.50 for the Andover Utility Replacement Project

Motion by R. Stone and seconded by M. Cashman to approve Change Order #3 to Doli Construction in the amount of \$69,925.50 for the Andover Utility Replacement Project, as presented. **Passed** with 5 ayes.

Approval of Payment Application #5 and Final to Doli Construction in the amount of \$152,091.47 for the Andover Utility Replacement Project

Motion by R. Stone and seconded by M. Cashman to approve Payment Application #5 and Final to Doli Construction in the amount of \$152,091.47 for the Andover Utility Replacement Project, as presented. **Passed** with 5 ayes.

PennDOT approval of placing restriction signs along Bull Road near the intersection of Butter Road

M. Fleming stated that this item will be removed from the agenda since the Board made a motion to remove the Butter Road- Truck Restriction Ordinance from the agenda.

Butter Road 2024 Budgeted Improvements

M. Fleming questioned if the Board will be moving forward with the budgeted improvements on

Butter Road.

C. Richards stated that he felt the Board needs more time to discuss that topic.

M. Fleming stated that the Board needs to move forward with these types of projects. CS Davidson gave them a cost estimate to make the necessary improvements.

Manager Oswalt questioned when the traffic studies relating to Fox Run Road at Canal Road, Nursery Road, and George Street will be completed.

T. Myers stated that he put in a request today to provide a status update but has not heard anything back as of the time of tonight's meeting.

C. Richards questioned when Raycom Road will be completed.

T. Myers stated that when Raycom Road was looked at, the Township was not responsible for building the road. It is set up that as the parcels got developed the roads would get built so it would provide a connection to Carlisle Road.

C. Richards questioned if the Township could build the road and then make the property developers pay for the improvement.

C. Miller stated that the Township cannot back bill someone for building a road, there would have to be a developer's agreement beforehand.

M. Fleming stated that the Butter Road and Bull Road improvements will not happen overnight. There is land that must be acquired and PennDOT permits will need to be obtained.

Manager Oswalt stated that if the Board is thinking of eventually restricting the truck traffic on Butter Road, they should consider whether it makes sense to spend the money to improve Butter Road.

R. Stone stated that it does not hurt to make the improvements to the road. It gives the Township options for the next generation, and it provides relief today. Butter Road was built to be utilized by the Industrial Park.

M. Cashman stated that he would like to improve Butter Road according to the traffic study.

M. Fleming stated that he would recommend doing the improvements as two separate projects. The curve on Butter Road could happen quicker than moving the utility pole at the intersection of Bull Road and Butter Road.

S. Stefanowicz questioned if the Board would like to move forward with Butter Road improvements.

A motion was made by M. Cashman and seconded by R. Stone but then both parties withdrew their motion and second after further discussion about wanting more time to think about the project before making a final decision at the next meeting.

Discussion regarding Moove in Self Storage

M. Fleming stated that there was a meeting held on site April 23rd with himself and Cory McCoy. After stormwater calculations were completed, it was determined that a 36-inch diameter pipe is adequate to handle the flow. He feels as if the property owner is responsible for replacing the pipe since the pipe is not in the right of way or easement.

R. Stone stated that it should not be the taxpayers responsible for replacing the pipe. The developer should be responsible for replacing it.

Tom Kilko from IRE stated that the pipe was found after they started digging. There was a PA One Call that was placed, and everything came back clear. After discovering the pipe, they thought they were doing the right thing by calling the Township to let them know about the issue that was discovered. At the last meeting, he had an estimate of \$53,000.00 to replace the pipe but the Board needed more time to discuss the issue, so he is here tonight to talk about a solution.

C. Miller stated the current pipe is not owned by the Township since it is a different material and not located within the easement. The Township has no records showing that the pipe was moved, and a new one was installed.

T. Kilko questioned what would happen to the existing easement if they replaced the pipe and did not put it back in the easement.

C. Miller stated that if the developer would not put the pipe back in the easement they would be in violation of their easement, as they are now. They can replace the pipe and put it back in the easement and there would be no violation.

T. Kilko questioned that once the pipe is replaced and back in the easement, is there some sort of documentation which would need to be completed to show that the pipe is where it should be.

C. Miller stated a deed of dedication should be presented to the Township.

Motion by C. Richards and seconded by M. Cashman to approve Moove In Self Storage to replace the existing pipe with a new pipe in the original easement and to offer the pipe through a deed of dedication, as presented. **Passed** with 5 ayes.

M. Fleming stated there has been discussion from the public about the detour that will be in place on Carlisle Road. The signs have been placed for the detour.

M. Cashman stated that the google maps and other GPS apps have been updated accordingly to show the detour.

S. Stefanowicz stated that the detour will be George Street to Nursery Road to Bull Road.

M. Cashman stated that local residents and businesses will be allowed access.

M. Fleming stated that the access to local residents and businesses will be limited. There will be times when the construction company will not allow anyone through. He showed the Board pictures of trench boxes in the road on Harmony Grove Road when they were working on that

road.

Andrea Stefanowicz from 4801 Carlisle Road questioned if residents will be notified 24 hours prior to their specific access being limited.

M. Fleming stated that the only thing they know now is that the contractor is going to be starting up near the diner. If Met-Ed is not on site to stabilize the utility pole they will then start at the end closer to Jim and Nena's and work their way up. The southbound lane of Route 74 does not presently have utilities in it, so the contractor is not sure if they will possibly hit rock. If they hit rock the project will take longer than a month.

S. Stefanowicz questioned if school buses will be able to get through.

M. Fleming stated that the school district was notified on April 9th along with first responders.

C. Richards stated that he has received complaints from residents about not being able to see around detour signs when approaching some of the intersections.

MS4 UPDATE

There was no MS4 update.

OLD BUSINESS

Butter Road- Truck Restriction Ordinance

Butter Road 2024 Budgeted Improvements

These two items were discussed within the minutes under the solicitor's report and the public works director's report.

COMMENTS FROM THE BOARD

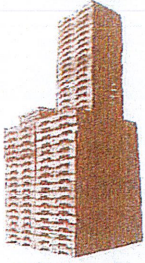
There was no comments from the Board.

COMMENTS FROM THE PUBLIC

There was no comment from the public.

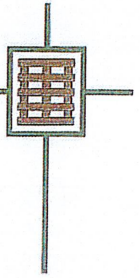
With no further business, Chairman Stephen Stefanowicz concluded the Board of Supervisors meeting at 9:39 PM.

Respectfully submitted by: 
Brooke M. Scarce, Township Secretary



PRO PALLET, LLC.

A Full Service Pallet Company



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Dover, PA 17315
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Ph: 717-292-5510
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To: The Dover Township Supervisors

05-09-24

PRO Pallet, LLC moved to Dover Township in 2003, the building was run down on a plot of grass. We have invested millions of dollars to improve the property over the years and we continue to invest annually to maintain and improve the property for our employees and community. Additionally, we spend an average of \$17,000.00 annually for landscaping and lawn care so the property is not an eye-sore in the Dover community, especially since we are located directly across the street from Ketterman Park. We chose this location because the Dover community was appealing and it was in close proximity and efficient to travel to York, points east, west and south of York, which is where 75% of our customer base is located. PRO Pallet, LLC has been traveling this 1 mile stretch of Butter Road to Nursery Road for 21 years, we have never received a traffic violation, been involved in an accident or damaged private property. Our drivers drive the speed limit, stay in their lanes and make wide turns at the intersections of Butter and Nursery and Nursey and Bull roads respecting the resident's private property at these intersections. PRO Pallet does not haul a lot of weight compared to the average tractor trailer combination, PRO Pallet's products weigh between 8,000 and 15,000 lbs. compared to the industry average of 20,000 to 45,000 lbs. Like all companies that operate tractor trailers PRO Pallet pays an additional Heavy Highway Use Tax of approximately \$5,4000.00 annually to use the public roads.

So, what has changed after 21 years? I don't understand the threat to the resident's public health or safety. Below lists the demographics of the homes located on Butter and Nursery Roads.

From Fox Run Road to Bull Road there a total of 39 homes.

- 50% of the residents are situated 300' to 1,000' or more back from Butter Road.
- 20% are situated 100' to 300' back from Butter Road.
- 30% are located 30' to 80' from Butter Road.

Nursery Road consists of (12) homes.

- 95% of the residents are located 60' to 200' or more back from Nursery Road.
- One resident resides on the on the corner of Nursery and Bull Road and is located approximately 50' from the road at this intersection.

This route has been the most-safest, efficient route for both the public and our drivers to travel when heading to York, and points east, west and south of York. Other potential routes will increase the risk to public safety, driver safety and exposure for PRO Pallet, LLC to be sited for traffic violations and involved in vehicular accidents increasing our costs to business. Additionally, alternate routes will increase our transportation costs (fuel, labor and time) to operate, drivers will have to travel extra miles to use alternative routes that are less safe, none of which are a positive for both

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public safety and PRO Pallet, LLC. Additionally, PRO Pallet, LLC conducts business with Spring Valley Mulch on a daily basis we use Butter Road to Bull make a left on Bull, a right on Butter and a right on Millcreek (approximately 2 miles) any other route will more than double the miles, time and cost to do business with Spring Valley. Additionally, we operate a facility in York right off Roosevelt Avenue where Bull Road crosses over Rt 30, there are 1 to 2 shuttles daily between the two facilities. Butter to Nursery to Bull Road is the safest, most efficient route to travel to get to our York facility.

PRO Pallet, LLC has always been an open-minded company, it's one of the key ingredients to our success. We would be agreeable and cooperative to using alternate routes if roadways were improved in the future for safe travel and efficiency. To eliminate the most-safest, efficient route and force us to use alternative routes that increase the health risk for public safety, increase the miles we run, more than likely upsetting others in the community and increase our cost to do business before roadways are improved to simply quiet and satisfy a small vocal minority does not seem much thought has been given to the impact on the overall community, local business and what we bring to Dover Township. I've been told PRO Pallet LLC is the largest private employer in Dover Township, we have consistently employed between 120 and 140 full time employees annually since 2003. Our annual gross payroll is just under \$5,000,000.00, a lot of those dollars end up staying in Dover Township supporting and helping the township and borough to thrive. PRO Pallet, LLC donates thousands of dollars annually to various township programs, borough programs, events in the park, and non-profit organizations in Dover township. We support the Dover School District making donations to athletic programs, scholarships and special awards for students. Drive by PRO Pallet almost any evening throughout the week and weekends from April to early October and you will see our parking lot filled with Dover Township residents: parents, grandparents and neighbors using our parking lot to park walk across the street to watch their kids play ball or just to use the park for recreation. Lastly, PRO Pallet, LLC in 2020 purchased 24 acres in the industrial park for growth, while working on the land development plan for this property the Dover Township Supervisors asked me for an easement or right of way through the property to extend Raycom Road in the future. We accommodated this request even though it splits my property in two making the property less valuable today. We did not ask the Township for any compensation for the right of way. It is ironic that PRO Pallet, LLC gave the Township a right of way free and clear to improve the roadways in the future and now the Township is considering passing an ordinance that would limit our use of the roadways we have been traveling for 21 years.

PRO Pallet, LLC has been a good neighbor to the Dover Township residents and overall community since 2003 creating jobs, providing incomes for hundreds of residents, supporting the community by giving to worthy causes both in and outside the Dover community. Unfortunately, if this ordinance is passed, I cannot promise PRO Pallet, LLC will continue to be that good neighbor we have been for the past 21 years. As a business owner I sometimes think governments and the public have lost their way, our founding fathers created a **"Government for the people, not a people for the government"**. It's unfortunate that corporate America and small business owners are sometimes made to feel as if we are the problem, when the Capitalist system under which we operate has made the United States of America the greatest, most powerful, wealthiest and generous nation in the history of mankind. You will never satisfy 100% of the people all the time, this is simply human nature. I trust you will come to a conclusion that results in the best overall decision for the Dover Township community.

Thank your time and consideration.

Respectfully,
Mark Schaffer
President – PRO Pallet, LLC