

**DOVER TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
August 26<sup>th</sup>, 2024**

The Dover Township Board of Supervisors for Monday, August 26<sup>th</sup>, 2024, 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, Michael Cashman, Robert Stone and Stephen Parthree. Other Township Representatives in attendance were Laurel Oswalt, Township Manager; Christian Miller, Township Solicitor; Christopher Hamme, Public Works Director; John McLucas, Zoning Officer; Terry Myers, Township Engineer; Cory McCoy, CS Davidson; Matthew Helwig, Utilities Superintendent; Gregg Anderson, Northern Regional Police Lieutenant; and Brooke Searce, 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 this evening's regularly scheduled Board of Supervisors meeting to discuss the suggested improvements to the Canal Road/ Fox Run Road intersection with ELA Group.

**CONTINUATION OF THE PUBLIC HEARING ON ROYAL FARMS WELLHEAD PROTECTION PERMIT MODIFICATION APPLICATION**

A Public Hearing on Royal Farms Wellhead Protection Permit Modification Application was opened by Attorney Christian Miller at 7:03 PM in the meeting room of the Dover Township Municipal Building.

Scott Debell with KCI Technologies stated a few weeks ago they provided an updated Spill Control and Prevention Plan addressing the comments from Buchar Horn. Tonight, the plans will be shown to the Board so they have a better understanding of what the underground storage tanks will look like. The existing tanks are located between the fuel canopy and Carlisle Road and those are the ones that are proposed to be replaced. One of the existing vaults is proposed to remain at its current location to ensure that during excavation stability as it is near the existing stormwater system.

Tom Brusling with Royal Farms verified that the concrete vault structure will remain in place, but the above ground storage tank will be removed. The concrete vault will be left as a buffer area between the excavation and the stormwater facility. The plan has been submitted to PA Labor and Industry for their approval to install the underground storage tanks. The cashiers have a clear line of sight of the fuel dispensers. There is also emergency shut off buttons that are within 100 feet of all the fuel dispensers. The piping plan shows the two proposed underground storage tanks to be 30,000 gallons each. One tank will hold 15,000 gallons for diesel and 15,000 for non-ethanol gasoline. The second tank will hold 20,000 for regular gasoline and 10,000 gallons for the super product. The manhole covers are raised an inch above the existing grade to ensure that water flows away. One of the big differences between the system that is being used now versus what is being proposed to be installed is the tank field monitoring pipes. The Pennsylvania

Department of Environmental Protection (DEP) only requires single wall spill buckets, but they are proposing to install double wall spill buckets. The spill buckets are tested annually. In the event that the delivery driver tries to put too much fuel into the tanks, there is an automatic shutoff device that will not allow the driver to put anymore fuel into the tank. There will be two forms of overspill prevention that will be installed, and the state of Pennsylvania Department of Environmental Protection and the United States Department of Environmental Protection (EPA) only require one.

M. Cashman questioned what prevents the delivery truck to cease fueling.

T. Bruising stated that gravity will completely cut off the supply from the truck into the tank.

M. Cashman questioned what would happen if the truck driver was incapacitated.

T. Bruising stated that the store leader or the assistant store leader is required to attend the delivery with the driver.

T. Myers questioned if the gasoline going into the tank, is a watertight connection.

T. Bruising stated the hose is connected into the fuel port which has a five gallon catch basin to catch any drippings when the driver disconnects the hose. There is also a stage one vapor recovery port.

T. Bruising stated that all of the underground storage tanks are made of fiberglass reinforced plastic rather than steel to prevent any kind of corrosion. Over the last 10 years, they have had 8 underground storage tanks where the fuel has eaten through the bottom of the tank, and they were lucky enough that the tanks were double walled, and it was all contained.

M. Cashman questioned if DEP has a separate code for wellhead protection zones.

T. Bruising stated that the wellhead protection zones fall back on Township jurisdictions.

M. Cashman questioned if there is a fuel leak now.

T. Bruising stated that there is not a fuel leak. There was a drip on one of the pipes, but it was not enough to set the sensor off. The regular tank was taken out of service due to deterioration of the steel from corrosion.

C. Richards questioned when Royal Farms was notified by DEP that a new tank needed to be installed.

T. Bruising stated that the letter from DEP came in October of 2023 and the inspection was previous to that.

Manager Oswalt stated it is not unusual for there to be lag from the inspection time to the submittal of the inspection report by DEP. At our Wastewater Treatment Plant the process is

similar when an inspection occurs.

C. Richards questioned if Royal Farms ever does any training for the local fire departments on how to handle the spills.

T. Brusling stated they do not provide training to local fire departments.

C. Miller questioned Kevin Hoover of Buchart Horn as whether he had the opportunity to review the revised Spill Control and Prevention Plan.

K. Hoover indicated that the applicant had addressed most of his comments, but there were some additional ones that he provided in writing. He had no issue with the Township authorizing the changes to the situation.

C. Hamme noted that the telephone number for the Township in the Spill Control and Prevention Plan was inaccurate. It was also noted that 911 should be called not the Fire Department directly.

Attorney Miller asked if there were any comments from the public on this matter. Hearing none, he indicated to the Board that should they choose to grant the request of Royal Farms to install this new system, a formal decision would need to be prepared and provided to the applicant.

Manager Oswalt noted that a new Operating Permit would need to be issued after the decision is finalized.

**Motion** by R. Stone and seconded by M. Cashman to approve the permit application for Royal Farms for the underground storage tanks contingent upon satisfactorily addressing the comments made by staff and Buchart Horn, as presented. **Passed** with 5 ayes.

Attorney Christian Miller concluded the Public Hearing at 7:44 PM.

### **APPROVAL OF THE JOINT BOROUGH MEETING MINUTES FOR AUGUST 12<sup>TH</sup>, 2024**

Sharon Hurd from 4280 Nursery Road stated that she spoke at the previous meeting during public comment and the minutes reflect that she was talking about the traffic on Butter Road, but the minutes should say Nursery Road.

**Motion** by R. Stone and seconded by S. Parthree to approve the Joint Borough Meeting Minutes for August 12<sup>th</sup>, 2024, with the noted correction, as presented. **Passed** with 5 ayes.

### **TREASURER'S REPORT**

**APPROVAL OF THE AUGUST 26<sup>TH</sup>, 2024 WARRANT IN THE AMOUNT OF \$1,346,500.31**

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

## **PUBLIC COMMENT**

George Street Guiderail Installation (CS Davidson and York County Planning Commission)

Manager Oswalt stated that at the pre-construction meeting, it was noted that since the project is being funded by federal CDBG monies an opportunity for public comment on the project was necessary for compliance with the grant.

C. McCoy stated that they have received the grant to replace the guiderail on George Street. There is a contract in place with Kriger Construction. The construction will start within the next few weeks. This will provide openings between the two culverts and will not impact neighbor access.

Joiann Galiano with the York County Planning Commission thanked the Board for holding a public comment period and stated that she's excited to see the project completed.

G. Anderson stated that August was busy. They held National Night Out but it did get rained out halfway through the event. Northern Regional is now transitioning into a hiring phase so they will start with oral interviews and progress from there. With that, they are also in the promotional phase, they will be promoting one Sergeant and one officer.

S. Parthree stated that during the Work Session meeting that was held prior to this meeting, there were residents present who were concerned about the speeding on Canal Road in the section that is 25 miles per hour.

T. Myers stated that when ELA Group did their study at the intersection of Canal Road and Fox Run Road it was determined that the 85 percentile speed was 40 miles per hour.

G. Anderson stated their main speed zone heading west on Canal Road got interrupted with the construction of the apartment buildings. But when a detail is set out on any roads that are 25 miles per hour the can capture speeds going well over the speed limit.

C. Richards questioned if a speed sign could be placed closer to Northern Regional.

G. Anderson stated that there is a sign there already, but a branch is covering the sign.

C. Hamme stated that the Township can handle the removal of the branch.

## **SOLICITOR'S REPORT**

**Approval of Ordinance 2024-02 Truck Restriction Ordinance for George Street, Nursery Road, and Temple School Road**

C. Miller stated that the Ordinance was advertised for adoption at this meeting.

**Motion** by C. Richards and seconded by S. Parthree to approve Ordinance 2024-02 Truck Restriction Ordinance for George Street, Nursery Road, and Temple School Road, as presented. **Passed** with 5 ayes.

## **ENGINEER'S REPORT, T. MYERS**

### **Award of the Poplars Road Culvert Replacement Project**

C. McCoy stated Dover Township has entered into a contract to receive a grant from the York County Board of Commissioners under the CDBG program. The grant is for \$55,000.00 to replace approximately 120 LF of deteriorated storm sewer pipe on the north side of Poplars Road. A signed temporary easement agreement has been received by the property owner. Authorization to advertise was July 22<sup>nd</sup> and a bid opening was held on August 21<sup>st</sup>. Four bids were received. CS Davidson recommends award to the low bid of Macmore Construction at the price of \$59,333.00. A request to the York County Planning Commission has been submitted for additional funding to cover the difference of \$4,333.00.

**Motion** by R. Stone and seconded by M. Cashman to award the Poplars Road Culvert Replacement Project to the lowest bidder, Macmore Construction, as presented. **Passed** with 5 ayes.

T. Myers gave a brief update on the Creekside Village stormwater basin conversion. The contractor is scheduled to start August 26<sup>th</sup> and plans on having the project completed by September 6<sup>th</sup>. The effected property owners and the HOA have been notified of the contractor's schedule.

## **ZONING OFFICER'S REPORT, J. MCCLUCAS**

### **Discussion - Consensus on Ordinance Development for Bamboo**

J. McLucas stated that he has previously provided the Board with two different Bamboo Ordinances from two separate municipalities. It is not an issue that comes up frequently, but it is hard to regulate and enforce.

S. Parthree questioned establishing a setback as part of the ordinance.

J. McLucas stated that one of the example ordinances did establish a setback requirement. The issue is that even though there is a setback, the bamboo could still potentially spread.

Manager Oswalt stated that another issue is that there are already properties that have existing bamboo.

J. McLucas stated that he has had discussions with the Solicitor and it's an enforcement challenge because determining whether it is over the setbacks if difficult for the Township.

S. Parthree stated that the only time it would be enforced is when a neighbor is complaining about it being on their property.

C. Richards questioned that if an ordinance is created, will an employee have the authority to enforce the ordinance.

C. Miller stated the violations would be issued and every day that the property is in violation fines would be increased.

M. Cashman stated that residents should not be allowed to plant bamboo.

J. McLucas encouraged the Board members to go back and read the ordinances that he previously provided to them. One of the ordinances prohibited any new planting of it, but any new existing plants had to be kept within a certain setback.

C. Miller suggested J. McLucas develop a list of items he would like to see in the ordinance.

### **MANAGER'S REPORT, L. OSWALT**

#### **Approval of Kristina Rodgers as the Plan Trustee for the Dover Township Deferred 457 Plan**

**Motion** by S. Parthree and seconded by R. Stone to approve Kristina Rodgers as the Plan Trustee for the Dover Township Deferred 457 Plan, as presented. **Passed** with 5 ayes.

#### **Approval of Kristina Rodgers as a Trustee for the Dover Township Non-Uniformed Pension Plan**

**Motion** by S. Parthree and seconded by R. Stone to approve Kristina Rodgers as a Trustee for the Dover Township Non-Uniformed Pension Plan, as presented. **Passed** with 5 ayes.

#### **Approval of an Agreement with M&S EAP Services for the Township's Assistance Program**

Manager Oswalt stated Wellspan EAP recently changed their program. The program changes came about because they outsourced services to Quest. The program has been costing the Township \$1,200.00 per year and covered three visits for every employee and all the volunteer firefighters for counseling services annually. We also receive two hours of training for staff per year under the agreement. The new terms had the Township paying \$1,000.00 per year and there were no training hours or sessions included. The Assistant Township Manager had used M&S EAP at her previous municipality. The cost of their program is \$3,750.00 and includes six sessions per individual, as well as other services such as: legal consultations, financial wellness counseling, elder care counseling, unlimited on-line trainings, a 24/7 chat line, HR, management, and supervisor consultations, case management for job performance approvals and at an additional cost they have leadership development consultation services which is believed to be helpful with the continued efforts with developing the management team. Although the program is more costly upfront, it provides better services and a set price for budgeting.

**Motion** by M. Cashman and seconded by S. Parthree to approve the agreement with M&S EAP Services for the Township's Assistance Program, as presented. **Passed** with 5 ayes.

#### **Approval of Resolution 2024-20 authorizing the adoption of portions of roads in Sagebrook**

**Phase I and II: Witherbee Road and Shadowbrooke Drive**

Manager Oswalt questioned if the maintenance bond was delivered.

J. McLucas stated that he did receive the bond.

**Motion** by S. Parthree and seconded by C. Richards to approve Resolution 2024-20 authorizing the adoption of roads in Sagebrook Phase I and II: Witherbee Broad and Shadowbrooke Drive, as presented. **Passed** with 5 ayes.

Manager Oswalt stated that she would like to mention three other things which are as follows: A copy of the draft budget should be provided to the Board by the end of the week and liaison meetings will be scheduled shortly after that; the Board should be seeing the trash contract and a work session will be scheduled to discuss it (West Manchester Township just received their bid and there was a 20% increase); and the SPCA is proposing a huge increase to all municipalities. There is a meeting scheduled with municipal managers at the end of September to discuss this increase.

**PUBLIC WORKS DIRECTOR'S REPORT, C. HAMME****Approval for Buchart Horn to bid North of the Borough Phase II**

C. Hamme stated the base bid would be from where they left off at George Street and would continue to Old Carlisle Road, the alternate bid would be from Old Carlisle Road to the east section of Skytop Road.

C. Richards questioned if a fire hydrant could be installed on the west side of Skytop Road. Since there is not a hydrant closer, the firefighters have to go up and down the hill on Carlisle Road to fill the tanker truck if there is a fire in that area.

C. Hamme stated that it is something that can be looked and the work can be completed through a change order.

Manager Oswalt stated that it would require additional PennDOT approval since it will be going across a second lane of traffic.

C. Richards stated that he would talk to the firefighters and get their opinion on what they would prefer.

Manager Oswalt noted that a grant was applied for to install the water and sewer in the first phase of the project, however the water money was received after the project had started so the money will now be used to complete the second phase. Permission was granted for this change by the Pennsylvania Department of Community and Economic Development.

C. Hamme stated that construction will only require a one lane closure.

**Motion** by M. Cashman and seconded by R. Stone to approve Buchart Horn to bid North of the Borough Phase II, as presented. **Passed** with 5 ayes.

**Approval to bid the Salt Dome Reroof and Wood Replacement**

C. Hamme stated that item has been in the facilities budget since 2023.

**Motion** by C. Richards and seconded by R. Stone to approve the bid for the Salt Dome Reroof and Wood Replacement, as presented. **Passed** with 5 ayes.

### **Acceptance of high bidders for the list of items on MunicBid as detailed in the Public Works Director's Report**

C. Hamme stated that the high bid for the Neopost DS-63 Folder-Insertter was \$210.00, the high bid for the Onan Genset 20ES Generator was \$550.00, and the high bid for the Viking Snowplow was \$1,250.00.

**Motion** by S. Parthree and seconded by C. Richards to approve the high bidders for the list of items on MunicBid as detailed in the Public Works Director's Report, as presented. **Passed** with 5 ayes.

### **RECREATION DIRECTOR'S REPORT**

Manager Oswalt stated that Parents Night Out will be held at the Community Building on September 6<sup>th</sup> from 6-9 PM.

### **MS4 UPDATE**

C. Hamme stated that he is currently working on the yearly DEP report that is due at the end of September.

### **OLD BUSINESS**

#### **Dover United Soccer Club Lehr Park Waiver of Fees**

M. Cashman stated that he does not believe they should waive their fees but maybe enter into an agreement to lease their soccer goals from them.

Manager Oswalt stated that the transaction does not make sense, why would we take money from them just to turn around and give it back to them for leasing the field goals. It would be her preference that the July monies be refunded, and the October monies be waived if that is the direction the Board wishes to go with this matter.

**Motion** by C. Richards and seconded by S. Parthree to return their funds from the July event and waive the Lehr Park fees for the Dover United Soccer Club for the upcoming October event, as presented. **Passed** with 5 ayes.

### **COMMENTS FROM THE BOARD**

C. Richards stated that Nathan Baker has stepped down as Fire Chief and Chris Hogland is the new Fire Chief.



S. Parthree stated that a School Board member has reached out to him regarding the students crossing Canal Road between the High School and the Middle School.

J. McLucas stated that there has been much discussion about this intersection with the district during the new high school's land development process. He is willing to discuss this matter with the School Board Member.

Manager Oswalt stated that the school is paying someone to manage the traffic at that intersection.

### **COMMENTS FROM THE PUBLIC**

Scott Miller from Dover United Soccer Club thanked the Board for waiving the fees and issuing a refund.

Matt Lamparter from 4090 Bull Road stated that he hopes the Board implements an ordinance regarding bamboo. He has a patch of bamboo on his property, and it is very costly to have it removed. To be able to get rid of the bamboo you have to remove the mother plant. If you do not remove the mother plant, it is a waste of time and it will continue to grow back. He has reached out to DCNR, and they are aware of the problem, but it is not a high priority for the state.

J. McLucas stated that he would be more than happy to provide M. Lamparter with copies of the ordinances that he provided to the Board for him to review and provide input on what should be included in the ordinance.

**With no further business, Chairperson Stephen Stefanowicz concluded the Board of Supervisors meeting at 8:51 PM and the full Board of Supervisors entered into an Executive Session to review draft job descriptions for implantation in 2025 and comp time utilization.**

Respectfully submitted by: Brooke M. Scarce  
Brooke M. Scarce, Township Secretary