Hamilton Township Board of Supervisor’s

Regular Meeting Minutes

Monday, August 3, 2015

**CALL TO ORDER:**

Meeting was called to order at 7:00 pm by Chairman, Stephanie A. Egger.

The Chairman led the meeting in the Pledge of Allegiance to the Flag.

Supervisors present were Stephanie A. Egger, Timothy D. Beard III and Ron L. Weidner. Also present were Solicitor, Ronald Tomasko, from the firm of JSDC Law Offices; Township Engineer, Chad Clabaugh, PE from C. S. Davidson, Inc.; and Secretary, Deborah Brogan.

Roadmaster, Jay Livingston was absent.

**APPROVAL OF MINUTES:**

Stephanie A. Egger asked if the Supervisors had reviewed the minutes from the July 6, 2015 Supervisor’s Meeting. Response was affirmative. Timothy D. Beard III made a **motion** to approve the minutes as submitted. Ron L. Weidner second the motion. Motion carried.

**PUBLIC COMMENTS**: Public comments addressing the agenda items, there were none.

**OLD BUSINESS:**

1. SPCA Collection: Stephanie A. Egger stated that we continue to collect items for the Adams County SPCA for the care of the animals at the shelter.

2. Stephanie A. Egger stated that the Township continues to collect glossy paper magazines, the glossy newspaper inserts, etc. for the Ronald McDonald House.

3. Phase 1 Garage Addition: Stephanie A. Egger stated that action needs to be taken to give conditional approval for the Garage Addition Plan for construction bid request. Chad Clabaugh stated that because this is a pole building, it will not take long to build. Chad Clabaugh also stated that this plan will now be reviewed by the Planning Commission at their meeting on 8/18. *Discussion*: Timothy D. Beard III asked about the safety shower. Chad Clabaugh stated that this is part of the work that our Public Works guys will be doing. The walls cannot be just the metal, Chad Clabaugh stated that they must be fire rated. Chad Clabaugh stated that it should be noted that the township is following the correct process for a Land Development Plan. Ron L. Weidner made a **motion** to give conditional approval for this plan. Timothy D. Beard III second the motion. Motion passed by unanimous vote.

4. Opening of Bids for Seal Coat on Woods & Waldheim Roads. The Chairman stated that no bids were received. Ron L. Weidner stated that it is probably too late in the year, most of the companies are very busy. No action taken.

**NEW BUSINESS:**

1. State Police: Stephanie A. Egger stated that the report for July 2015 was received. There were 23 incidents in Hamilton Township; 7 criminal, 3 collisions and 16 service calls.

2. Liberty Fire Co. No. 11: Mike Thomas presented his report for July 2015. In July there were no incidents in Hamilton Township.

NOTICE: Stephanie A. Egger stated that there is going to be a public meeting at Liberty Fire Co. on August 18th at 6:30 pm. They are going to present some of their future services.

3. United Hook & Ladder Co. No. 33: The Chairman presented the report for June & July 2015. In June there were 36 incidents, 2 in Hamilton Township. In July there were 31 incidents, none were in Hamilton Township. Kevin Moul stated that the new ARMS/EMS service had 404 incidents in July 2015; there were 8 in Hamilton Township.

4. Hampton Fire Company: P J Trimmer was present from Hampton. The Chairman presented his report for July 2015. They had 14 incidents, there were none in Hamilton Township.

5. Comcast: The Chairman stated that notice has been received from Comcast informing residents of changes made to the Digital Premier Service. There are several changes being made; a copy of this notice is on the bulletin board.

6. Firearms Ordinance Discussion: Stephanie A. Egger presented two ordinance samples for review. Attorney Ronald Tomasko stated that the ordinance presented for discussion is a blend of the ordinances from Gettysburg Borough and Reading Township. He has removed the re-enactment references. *Discussion*: Ron L. Weidner stated that he would like to have more time to review the ordinance. The ordinance would be enforced by the State Police. Ron L. Weidner stated that our Nuisance Ordinance covers the sound levels for the Township. Timothy D. Beard III stated that setting the time just for noise is difficult for him, as he is running tractor equipment late at night and this emits sound that carries.

Doug Fishel, 760 Berlin Road, stated that the State Police have enough trouble handling truck noise. What is the percentage of issues to cause the writing of this ordinance? Discussion was had concerning the shooting incident on The Spangler Road.

A resident asked who is doing the research for the Firearms Ordinance. Attorney Ronald Tomasko stated that the township office has been doing the research, he will review everything before decisions are made. Ronald Tomasko stated that we have been conscious of the State Laws regulating firearms at the municipal level, and will adhere to the state requirements.

Doug Fishel asked would this cause more permitting. Stephanie A. Egger stated that they have not gone that far.

Mary Beard, 350 Forest Drive, stated that the committee needs to recommend that residents use common sense when target shooting.

Ron L. Weidner went over the process for passing an ordinance.

7. Ted Motz, Energy Broker, presented pricing from Achieve Energy Solutions (AES) for electrical service for Hamilton Township. We would be billed by Met-Ed and the new pricing he recommends is at a Fixed Rate (with GRT [Gross Receipt Tax]) of $0.07247. This is a savings of approximately $938.07 per year. After further discussion, Ron L. Weidner made a **motion** to accept this rate at a term length of 28 months. Timothy D. Beard III second the motion. Motion passed by unanimous vote.

8. East Berlin Community Library: Stephanie A. Egger stated that we have received an invitation to East Berlin Community Library’s Groundbreaking Ceremony on Wednesday, September 2, 2015 at 6:30 pm. There will be light refreshments after the ceremony. Please join for a memorable event.

9. Stormwater Mgmt. Ordinance: Stephanie A. Egger stated that action needs to be taken to approve the advertising for the Hearing and Adoption of the Ordinance for Stormwater Management at the September Board of Supervisors Meeting.

Chad Clabaugh informed the Board that the ordinance is basically the same with only a few changes and a more simplified approach has been implemented. Timothy D. Beard III made a **motion** to approve the advertising and the Hearing. Ron L. Weidner second the motion. Motion carried.

10. Update of the NOMA Sewer transition. Stephanie A. Egger shared a letter received from Berwick Township stating their intentions and concerns about Hamilton Township going to NOMA. Attorney Ronald Tomasko requested a copy of this letter. The Chairman stated that NOMA has requested an appointment with Berwick Twp.

Tom Danner, Supervisor for Berwick Twp., was present. Tom Danner stated that they need to know about all the issues involved. The letter Berwick Twp. sent us is authorization to pursue talks with NOMA. Stephanie A. Egger stated that they have been in negotiations with NOMA for the past few months and can say that Penn Vest has already given us the approval to change. Chad Clabaugh stated that DEP should not be a problem. Mr. Danner stated that Berwick just wants validation. Stephanie A. Egger stated that the next step would be for NOMA to meet with Berwick Twp.

Ron L. Weidner stated that he feels that Berwick Twp. owes it to the residents to talk to NOMA.

Tom Danner stated that they want to make sure we don’t legally violate the agreement. There should be no penalties or cost to Berwick Twp. or Hamilton Township. Danner stated that he applauds us for having the initiative to go to NOMA. Tom Danner stated that they (Berwick Twp.) would not stand in our way.

**Is there any other business to come before the Board of Supervisors?** There was none.

**PLANNING COMMISSION RECOMMENDATIONS AND STATUS OF**

**ACTIVE PLANS:**

1. Stephanie A. Egger stated that we have received a letter of recommendation from the Planning Commission to proceed with the Developer’s Escrow Agreement Ordinance, and the Resolution of the Fee Schedule for this Developer’s Escrow Agreement. There was no discussion. No motion was made. Ordinance and Resolution die.

**COMMITTEE & DEPARTMENT REPORTS:**

1. East Berlin Area Community Center (EBACC) The Chairman stated that there is no report.

2. Abbottstown Paradise Joint Sewer Authority – Kevin Moul stated that the Authority wants to talk to Hamilton Township and C. S. Davidson about safety issues at the Rte. 194 Pump Station. The weeds are over grown and they would like to clear the area and put down black-top like Hamilton Township has done to other pump stations. No action taken.

3. Parks and Recreation Board – Virginia Zickafoose was not present. The next meeting will be on September 8th at 7:00 pm.

4. Emergency Management: Timothy D. Beard III stated that County is in the final stages for the radio system. They plan to finish by mid-October. Hamilton Township will receive three (3) radios and as Emergency Mgmt. Coordinator, Tim Beard will receive one.

Timothy D. Beard III stated that he also serves on the YATB Board. They are implementing a new ID form for collecting local taxes.

5. Road Master’s Report – Jay Livingston, Road Master, was not present. Ron L. Weidner stated that they fixed a pothole on Woods Road. 450 feet of Beaver Street will soon be completed. One Dump truck is in the shop having an oil pan replaced. They continue to mow.

6. COG Report – Jay Livingston was not present. No report was given.

7. East Berlin Joint Authority Report – Ron L. Weidner had no report. Their meeting is Thursday.

8. Finance Committee Report – Brian Campbell stated that the finances are in good shape. We are beginning the budget process. We have changed the meetings to the fourth Tuesday to avoid conflicts on Monday night. Stephanie A. Egger stated that it was suggested at the last Finance Committee meeting that we pay the Fire Company’s on a quarterly basis instead of once a year. Kevin Moul stated that he would prefer that we leave it as is paying once a year, but make the payment in July or August.

9. East Berlin Library – Brian Campbell again mentioned the “Ground Breaking Ceremony.”

**Engineer’s Report** – Chad Clabaugh; Township Engineer, from C.S. Davidson

1. Pembroke Pointe Farm Riding Stable Land Development Plan: In August 2015, the plan was conditionally approved at the July Supervisors meeting. The developer needs to schedule inspection when the work is underway.

2. Office Expansion: August 2015 – C. S. Davidson has formally submitted the Land Development Plan to the Township Planning Commission and to County Planning for review. The plan will be reviewed at the August Planning Commission meeting and then presented to the Supervisors at the September Meeting for approval. C. S. Davidson has also completed the site plan for the garage expansion portion of the project and shared it with the architect. Assuming the Supervisors will conditionally approve the plan, the schedule for bidding and construction of the garage will be as follows:

August 3, 2015 - Conditional Approval to bid pending review on August 17, 2015

August 17, 2015 - Completed Drawings submitted to the Township to satisfy conditional approval to bid

August 19, 2015 - 1st Ad in the newspaper

August 26, 2015 - 2nd Ad in the newspaper

September 2, 2015 - Pre-Bid Conference

September 9, 2015 - Bids Due

September 14, 2015 - Supervisors Vote to Award Contract

September 15, 2015 - Notice to Proceed issued to the Contractor

September 28, 2015 - Start of Construction

November 30, 2015 - Completion of Construction

3. Aug. 2015 – C. S. Davidson issued a complete Revised SALDO at the July Planning Commission meeting that showed all edits. Along with the submittal was a letter that pointed out specific items that need attention. The document will be further refined by the August Planning Commission meeting. The goal is to have a new SALDO adopted by the end of this year.

**Solicitor’s Report** – Ronald Tomasko, Attorney from the firm of JSDC Law Offices: Ronald Tomasko stated that he will review the “Firearms Ordinance.” Ronald Tomasko stated that he has been working on a memo for NOMA with Randy Hurst. Ronald Tomasko stated that after a hearing on the Petition for Contempt on 6/16/15 against David Lease, Judge George found that there was sufficient evidence that Mr. Lease was in contempt of the prior court orders regarding septic issues. A follow-up hearing was held July 22, 2015. A second follow-up hearing is scheduled for August 26, 2015. Hamilton Township will do site inspections before hearing.

**Zoning Officer’s Report** – PA Municipal Code Alliance: Stephanie A. Egger stated that there is no report from the Zoning Officer. Stephanie A. Egger informed the residents about Dale Gettel and his condition.

**MOTION TO PAY THE BILLS:**

Stephanie A. Egger presented the Board with a listing of the July 2015 bills to be approved for: General Fund $40,843.81 and Route 94 Sewer Fund $26,987.54 and State Fund $1,884.86. Ron L. Weidner made a **motion** to approve the bills as submitted. Timothy D. Beard III second the motion. Motion passed by unanimous vote.

**PUBLIC COMMENT:**

1. Ryan Fox, 29 Stonybrook Lane, asked if the 20% deduction for the sewer from NOMA was guaranteed in writing. Stephanie A. Egger stated not yet.

2. Ann Harman, 315 700 Road, wants to commend the grounds crew for having the building landscaping looking so nice. Ann Harman asked about the junk at the Batts residence. Ron L. Weidner explained what was going on there, he will talk to Wes about an inspection.

3. Ann Harman, 315 700 Road, asked about the billboard sign at Wicked Auto, 3414 Carlisle Pike. Ron L. Weidner stated that Dale had gone out & checked this site. Ron L. Weidner will have Wes check this site and the sign issue.

**SUPERVISOR COMMENTS:**

**Ron:** Hopes to resolve the firearms issue without an ordinance.

**Tim:** Thank you for a nice turnout. School starts soon, so watch out for the kids. Please drive carefully.

**Steph:** Thank you for coming. Please be safe and enjoy your Labor Day holiday. Stephanie A. Egger then informed the residents of the following meetings:

**Meeting Announcements:**

**Next Parks & Rec Committee Meeting – Tuesday, Sept. 8th @ 7:00 pm**

**Next Planning Commission Meeting – Tuesday, August 18th @ 7:00 pm**

**Next Finance Committee Meeting – Tuesday, August 25th @ 6:30 pm**

**Board of Supervisors Regular Meeting – Monday, Sept. 14th @ 7:00 pm**

**Adjournment**

Having nothing further to discuss, Ron L. Weidner made a **motion** to adjourn the meeting at 8:35 pm. Timothy D. Beard III second the motion. Meeting adjourned at 8:35 pm

Minutes taken and transcribed by:

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Deborah A. Brogan

Secretary Hamilton Township