**Hamilton Township Board of Supervisor’s**

**Regular Meeting Minutes**

**Monday, October 3, 2016**

**CALL TO ORDER:**

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

Supervisors present were: Stephanie A. Egger, Timothy D. Beard III and Ronald 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.; Roadmaster, Jay Livingston and Secretary, Deborah Brogan.

**APPROVAL OF MINUTES:**

Stephanie A. Egger asked if the Supervisors had reviewed the minutes from the September 12, 2016 Supervisor’s Meeting. Response was affirmative. Timothy D. Beard III made a **motion** to accept the minutes as submitted. Ronald L. Weidner second the motion. Motion carried.

**PUBLIC COMMENTS:** There were no comments.

**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. NOMA Sewer Transition: Stephanie A. Egger stated that our Solicitor has sent a letter of agreement to Berwick Twp. We are still waiting for a response from Berwick Township. At the present time there is no deadline. Chad Clabaugh explained the process: Berwick releases the Township from agreement; an Agreement with NOMA is established; complete the final process with DEP. This could still take an additional six months. Ronald L. Weidner stated that Berwick needs to agree in writing. The residents were informed of Berwick’s Board meeting.

4. Bridge Update: Stephanie A. Egger stated that Paradise Township has not been responsive to the township. Stephanie A. Egger sent an email to the Paradise secretary and received this reply; “Paradise Township sent letters to everyone living on Protectory Road that would be affected if we closed the bridge.” “They took a vote and would like to keep the bridge open.” Ronald L. Weidner stated that we need to schedule a meeting with Paradise Twp. in the very near future.

5. Cedar Ridge / Consolidation of Bonds: The Chairwoman stated that action needs to be taken to approve and accept the Bond Consolidation of $345,247.10 for Cedar Ridge Development. Ronald L. Weidner made a **motion** to accept the Bond reduction. Timothy D. Beard III second the motion. *Discussion*: Chad Clabaugh stated that this is to combine the outstanding public improvement financial security for Cedar Ridge Land Development. Creation of new security in the amount of $275,512.60. Chad Clabaugh stated that this will cover Public Security, EDU Dedication and Warranty items. Ronald L. Weidner *rescinded* his original **motion.** Timothy D. Beard III second the motion.

Ronald L. Weidner again made a **motion** to accept the Bond Reduction for the amount of $275,512.60. Timothy D. Beard III second the motion. Motion passed by unanimous vote.

6. Cedar Ridge / Deed of Dedication: Stephanie A. Egger stated that action needs to be taken to approve Resolution #2016-58 and to confirm that the stated condition for approval, the placement of all signs, was completed. Ronald L. Weidner stated that some signs are in and others are on order. The developer has stated that he will get the signs done and have security maintenance and installation checked. Chad Clabaugh stated that he will keep up with this issue. Timothy D. Beard III made a **motion** to accept the Deed of Dedication and approve the Resolution #2016-58. Ronald L. Weidner second the motion. Motion passed by unanimous vote.

7. Cedar Ridge Public Improvement Security Reduction: The Chairwoman stated that action needs to be taken to approve the requested Public Structural Integrity Improvement Security Bond amount of $361,238.25. After discussion, Ronald L. Weidner made a **motion** to approve the bond. Timothy D. Beard III second the motion. Motion passed by unanimous vote.

8. Donation Request – EBACC: At our last Board meeting, East Berlin Borough sent a letter asking each municipality that participates with the East Berlin Area Community Center, to make a specified donation towards a new roof for the Community building. Our requested donation amount is $8,025.00. A letter was sent to East Berlin Brough with our request for bid amounts. The township representative, Torren Ecker, stated that there has been no bids received as yet. Timothy D. Beard III made a **motion** to table this issue. Ronald L. Weidner second the motion. Motion carried.

***Recess for Public Hearing:*** Time: 7:30 pm

**PUBLIC HEARING:**

Firearm/Target Safety Ordinance#2016-136: The Chairwoman stated that this is a Public Hearing to adopt Ordinance #2016-136 “Firearm / Target Safety Ordinance.” Proof of advertising was presented. This ordinance has been reviewed by the Solicitor and Attorney Ronald Tomasko, stated that he finds the ordinance to be in order. The Chairwoman opened the floor for questions from the residents:

1. Torren Ecker, 80 Stonybrook Lane, asked what brought this ordinance about. Stephanie A. Egger informed Ecker of the incident that started this ordinance. Timothy D. Beard III stated that they have been working on this for a while.

2. Madeline Staub, 833 Dicks Dam Road, asked how long this ordinance has been available for review. Stephanie A. Egger stated that the ordinance was advertised and in the township office for review for 30 days. Ronald L. Weidner stated that the ordinance is mostly for target shooting, most is common sense. Timothy D. Beard III stated that this just establishes standards.

3. Jim Stake, 1352 Pine Run Road, Asked about the gully/ravine in his yard that he uses for target shooting. Ronald L. Weidner stated that this sounds like it would be acceptable as a natural barrier.

After further discussion, Timothy D. Beard III made a **motion** to adopt the Ordinance #2016-136 as written. Ronald L. Weidner second the motion. Motion passed by unanimous vote.

***Meeting ReconveneD*** Time: 7:40 PM

**NEW BUSINESS:**

1. State Police: No report was received for service in Hamilton Township.

2. Liberty Fire Co. No. 11: Report for Hamilton Township was received for the month of September 2016. During the month of September there were 81 incidents; there were 7 incidents in Hamilton Township.

3. United Hook & Ladder Co. No. 33: Report for Hamilton Township was received for the month of September 2016. During the month of September there were 44 incidents, 3 were in Hamilton Township.

4. Adams Regional EMS, Inc.: No report for Hamilton Township was received.

5. Hampton Fire Co. No. 10: Monthly Report for Hamilton Township for the month of September 2016 was presented by PJ Trimmer from Hampton. There were a total of 23 incidents, 3 were in Hamilton Township.

6. The Chairwoman presented two quotes received for Propane Service for the period of 10/30/2016 thru 10/30/2017.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Date Quote Received**  | **Company Name** | **Phone #** | **Price/Gallon** | **Gallon Discount** | **Agreed to terms** |
|   |   |   |   |   |   |
| 9/15/2016 | Mason Propane Service | 717-259-0624 |  $ 1.250  |  $ 0.10  | Yes |
|   |   |   |   |   |   |
| 7/2/2012 | O'Brien & Sons Propane | 717-793-1566 |  $ 1.590  |  $ 0.10  | Yes |

Terms were as follows:

|  |
| --- |
| 1. The propane will be delivered to 272 Mummerts Church Road, Abbottstown, PA  |
| 2. Billing Terms: Net thirty (30) days  |  |  |  |  |
| 3. Regular delivery schedule  |  |  |  |  |
| 4. Price quote will be fixed for one year (October 30, 2016 to October 30, 2017) |
| 5. A signed agreement will be required |  |  |  |  |

After review, Ronald L. Weidner made a **motion** to accept the quote from Mason’s Propane Service. Timothy D. Beard III second the motion. Motion carried.

7. The Chairwoman presented a letter of recommendation from the Planning Commission that an Ordinance be created for the Escrow Fees that have been suggested by C. S. Davidson letter. Stephanie A. Egger explained how the Escrow Fees will work. These fees are for construction and plan review. Timothy D. Beard III made a **motion** to review and accept the submitted Escrow Fees and have our Solicitor create an Ordinance. Ronald L. Weidner second the motion. Motion passed by unanimous vote.

8. Resolution #2016-55: The Chairwoman stated that this resolution needs to be approved for the compensation to the Planning Commission members in the amount of $25 per meeting attended. Ronald L. Weidner made a **motion** to approve this resolution. Timothy D. Beard III second the motion. Motion carried.

9. Resolution #2016-56: The Chairwoman stated that this resolution needs to be approved for the compensation to the Zoning Hearing Board members in the amount of $25 per meeting attended. Timothy D. Beard III made a **motion** to approve this resolution. Ronald L. Weidner second the motion. Motion carried.

10. Resolution #2016-59: Stephanie A. Egger stated that action needs to be taken to approve this resolution to transfer funds in the amount of $15,000 for the auto withdrawal for our commercial loan. After further discussion, Ronald L. Weidner made a **motion** to approve this transfer and Resolution

#2016-59. Timothy D. Beard III second the motion. Motion carried.

11. Stephanie A. Egger informed the members that we received our Municipal Pension State Aid in the amount of $7,229.98.

12. Foreign Fire Relief: Stephanie A. Egger informed the members that we have received the Foreign Fire Funds. These funds are to be split between the three (3) fire companies as follows:

United Hook & Ladder #33 receives $8,517.50; Liberty Fire Co. #11 receives $4,258.76; and Hampton Fire Co. #10 receives $4,258.70. Timothy D. Beard III made a **motion** to approve the amounts and send the payments. Ronald L. Weidner second the motion. Motion carried.

**PLANNING COMMISSION RECOMMENDATIONS AND STATUS OF**

**ACTIVE PLANS:** Nothing to report.

**COMMITTEE & DEPARTMENT REPORTS:**

1. East Berlin Area Community Center (EBACC) – Torren Ecker presented the report for EBACC. Ecker gave the member totals of township residents that have been recorded as using the facility. He also stated that EBACC did not authorized East Berlin Borough to send the roof donation request letter. EBACC and East Berlin Borough are looking into creating a new lease.

2. Abbottstown Paradise Joint Sewer Authority – Kevin Moul was present. He stated a new pump station is being installed. They are almost finished with the installation of the new meters.

3. Parks and Recreation Board – Ronald L. Weidner stated that they are still waiting for Jan Hoffman to report on her meeting with Mr. Coxen. There was no meeting in September.

4. Emergency Management: Timothy D. Beard III stated that it has been very quiet this month. With the hurricane coming up the coast, he stated that we should be prepared and watch the weather reports.

5. YATB & Tax Board Reports: Timothy D. Beard III stated that there has been no activity with either Board.

6. Road Master’s Report – Jay Livingston, Road Master, stated that they have been preparing the anti-skid pile, replacing tiles, mowing and repairing potholes. They have been working on the equipment to have ready for winter weather. They also have been working on Old Mill Road, preparing it for October roadwork, during which, the road will be closed.

7. COG Report – Jay Livingston stated that the meeting was held on 9/25/2016. Representatives from Destination Gettysburg, were there to speak about tourism in Adams County. The COG also talked about the new $5.00 addition to vehicle registration to be used for roads. On October 27th, 8:30 pm at the EMA Center there will be a Legislative Forum. It is open to the public.

8. East Berlin Joint Authority Report – Ronald L. Weidner stated that the meeting is this Thursday. They are still in the process of getting bids for the painting of the water tank.

9. Finance Committee Report – Brian Campbell stated that they had a meeting on 9/27/2016. The township finances are in good shape. They are working on the budget and hope to have it finished by end of October for approval at the November meeting.

10. East Berlin Library – Brian Campbell stated that circulation is still increasing.

 **Engineer’s Report** – Chad Clabaugh; Township Engineer, from C.S. Davidson. New Oxford Dollar General: Representatives from Dollar General have notified C. S. Davidson and the Township that they wish to suspend progress on the Deed of Dedication. They have satisfactorily replaced the sidewalk along Route 94 so that it meets ADA standards and can be properly extended as part of the Sheetz project. There are a few remaining issues that will need to be fixed prior to the release of security for this project.

**Solicitor’s Report** – Ronald Tomasko, Attorney from the firm of JSDC Law Offices, presented his report of activity. Attorney Tomasko continues to work on the following cases:

1. Final payment has been made by Route 94 Motors pursuant to the agreement.

2. David Lease: Collection efforts have begun in regard to the $47,798.32 order for payment to the Township by the Courts. Relatedly, the Solicitor’s office is waiting on a determination from the Adams County District Attorney regarding Mr. Lease’s testimony in the proceedings before Judge George and how that compared to Mr. Lease’s previous sworn testimony in other matters for the purposes of a potential perjury charge.

3. Charles & Kathleen Harman: A hearing is set before Magistrate Judge Little for October 13, 2016.

4. Zufriendan Acres Family: MDJ hearing has been continued to November 1, 2016 to give Zufriendan an opportunity to come into compliance.

5. Continue to work on various liens.

**Zoning Officer’s Report** – PA Municipal Code Alliance Report for September 2016 was presented by Stephanie A. Egger. For September 2016 there were 0 violation notices, 0 Citations, and 6 permits issued.

**MOTION TO PAY THE BILLS:**

Stephanie A. Egger presented the Board with a listing of the September 2016 bills to be approved for General Fund and Route 94 Sewer Fund. Ronald L. Weidner made a **motion** to approve the bills as submitted. Timothy D. Beard III second the motion. Motion passed by unanimous vote.

**PUBLIC COMMENTS:**

1. Deb Stake, 1352 Pine Run Road, asked for the status of the Sheetz plan. Ronald L. Weidner stated that they had a meeting last week and all seems to be going well. Deb Stake then asked about Weis Market buying out the Nell’s Market. Stephanie A. Egger stated that they have heard nothing about this.

2. Madeline Staub, 833 Dicks Dam Road, stated that she also heard that Weis was at the Nell’s store.

**SUPERVISOR COMMENTS:**

**Ron:** They had a meeting with the people from Sheetz and they are still interested. Remember that Trick or Treating is on October 31st from 6:00 to 8:00 pm

**Tim:** Thank you for coming. Please watch the weather reports concerning the hurricane. Have Happy Halloween.

**Steph:** Please register to vote, there are only eight days left. Thank you to Gray Wolf Plantation for the straw and pumpkins. And thank you to the Public Works guys for a really great job of decorating.

**Meeting Announcements:**

**Next Parks & Rec Committee Meeting – Tuesday, October 11th @ 7:00 pm**

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

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

**Board of Supervisors Meeting – Monday, November 7th @ 7:00 pm**

**Adjournment**

Having nothing further to discuss, Timothy D. Beard III made a **motion** to adjourn the meeting at 8:20pm. Ronald L. Weidner second the motion. Meeting adjourned at 8:20 pm

Minutes taken and transcribed by:

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Deborah A. Brogan

Secretary Hamilton Township