

Approved 5/6/2024

**HAMILTON TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES
APRIL 1, 2024**

Call to Order: The meeting was called to order at 7:00 PM by Ronald L. Weidner. In attendance were Supervisors Ronald L. Weidner, Jeremy P. Smith, and Ryan M. Groft. Also, present were Solicitor Melissa Kelso, Chad Clabaugh, P.E., from C. S. Davidson, Inc., ESQ, Secretary/Treasurer Megan Carper, and Roadmaster Don Blackburn.

APPROVAL OF AGENDA PER ACT 65: Ronald L. Weidner provided the agenda to the Board of Supervisors. *Jeremy P. Smith made a motion to approve the agenda with a second by Ryan M. Groft. **The Motion was unanimously approved.***

APPROVAL OF MINUTES: Minutes of the regularly scheduled meeting on March 4, 2024, were presented. *Upon review of the minutes from March 4, 2024, Jeremy P. Smith made a motion to approve the minutes as written with a second by Ronald L. Weidner. **The Motion was unanimously approved.***

PUBLIC COMMENTS: No comments.

OLD BUSINESS:

1. **Upper Conewago Church:** The Board is still awaiting a response from the school district regarding the waiver of taxes for the Upper Conewago Church, as the township and county taxes have already been waived. There has been no feedback from the school district's attorney despite attempts to contact them. An executive session to discuss this issue further is planned after the meeting, with no immediate action to be taken. *Jeremy P. Smith made a motion to table the discussion, seconded by Ryan M. Groft. **The motion was carried unanimously.***
2. **Seal Coating / Tar & Chipping Bid Opening:** The Board discussed the seal coating/tar & chipping project. The bidding process was delayed because the bid advertisement did not run in the newspaper in time. *Ronald L. Weidner made a motion to table the bid opening with a second by Jeremy P. Smith. **The motion was carried unanimously.***

NEW BUSINESS:

1. **Adopt Hamilton Township Personnel Manual:** The Board discussed the revision of the Hamilton Township personnel manual, which had multiple versions discovered during a review. A consolidated and revised single version was created to standardize procedures. *Jeremy P. Smith made a motion to adopt the new version of the personnel manual with a second by Ryan M. Groft. **The motion was carried unanimously.***
2. **State Police:** The monthly report is available for review on the Township's bulletin board.
3. **Northeast Adams Co. No. 32 FIRE:** The monthly report can be found on the Township's bulletin board.
4. **United Hook & Ladder Co. No. 33:** The monthly report can be found on the Township's bulletin board.
5. **Adams Regional EMS:** The monthly report can be found on the Township's bulletin board.
6. **Kaiser: Zoning Hearing** – The Zoning Hearing Board denied the variance requested by Kaiser during the hearing on March 28, 2024.
7. **NOBPA, LLC: Zoning Hearing** – The zoning hearing for NOPBA, LLC was not completed on March 28, 2024. The session ended due to an agreed-upon 10:30 pm cut-off, with no conclusion reached within the allotted time. The board discussed procedural requirements, noting that while the 60-day decision period typically applies, both parties agreed to an extension during the March 28th hearing. A new hearing date has yet to be set, and the zoning officer will work to coordinate with all parties to find a suitable date. Further updates will be communicated once available.

PLANNING COMMISSION RECOMMENDATIONS FOR ACTION AND / OR STATUS REPORT OF ACTIVE PLANS:

1. There are no new recommendations at this time.

COMMITTEES AND MEETING REPORTS

1. East Berlin Area Community Center (EBACC) – Ryan M. Groft reported on the recent meeting held on March 25th. Key updates include the hiring of DAZA set to begin on April 1st, with no new developments from the Project 22 Steering Committee on the RACP or Adams County Community Foundation Grant. The women's conference drew over 100 participants, and the Hog Maw fundraiser generated \$2,792. In February, 173 volunteers contributed 979 hours, and around 1,000 apple dumplings were made last year. Upcoming events include a Red Cross blood drive on April 4th, an indoor yard sale from April 11th-13th, and the biggest yard sale on April 27th. The next board meeting is scheduled for April 22nd, and there is an ongoing call for volunteers.
2. Abbottstown Paradise Joint Sewer Authority (APJSA) – Kevin Moul. No Report.
3. Emergency Management - Paul Minnich. No Report.
4. YATB Tax Board Reports - Jeremy P. Smith reported on the finance meeting held on March 27th focusing on the review of financial reports for the York Adams Tax Bureau (YATB), Adams County Tax Collection Committee (ACTCC), and York County Tax Collection Committee (YCTCC). The financial reports reviewed are scheduled for approval at the next YATB meeting set for April 29th, which coincides with the ACTCC meeting on the same evening.
5. ACTCC Tax Board Reports – Jeremy P. Smith. The next meeting is scheduled for April 29th.
6. Road Master's Report – Don Blackburn provided an update for upcoming road maintenance activities based on weather conditions. On dry days, the focus will be on crack sealing (temperature permitting above 50 degrees), brush cutting, roadside mowing, stormwater gutter and pipework, gutter cleanouts, and washing equipment and trucks. During rainy days, the team will prioritize servicing equipment and trucks, checking roads for blocked gutters, continuing brush cutting and mowing, conducting building maintenance, and washing and sweeping all shop bays.
7. COG Report – No Report.
8. East Berlin Area Joint Authority – Ronald L. Weidner provided updates on the East Berlin Area Joint Authority's efforts to upgrade their sewage treatment facilities with grant funding from the county and state. Discussions included plans to extend water and sewer lines along Route 194 to encompass Hamilton Township, potentially impacting several establishments on private systems. Further research is needed to determine if existing ordinances would require these establishments to connect to the new sewer lines, typically mandated only if current systems fail or if required by the DEP. Additional research is necessary to clarify the legal and logistical aspects of enforcing mandatory sewer connections.

Engineer's Report – Chad Clabaugh; Township Engineer, from C.S. Davidson, Inc. presented an updated engineering report:

1. Herman and Klein Subdivision: The subdivision received conditional approval, with a current issue related to the deed being resolved. Once corrected, the revised deed will be submitted for final approval and recording.
2. Pennwood Products Development: This development's revised Traffic Impact Scoping application, submitted on March 20, 2024, is under review after receiving conditional approval. The traffic concerns, especially those affecting East Berlin, are being evaluated by traffic engineers.
3. New Oxford Logistics: Discussions on the zoning application related to the traffic impact study were conducted, with the study currently under review. The process underscores the dependency of traffic study approvals on zoning consents.
4. Royal Farms: Royal Farms has indicated plans to withdraw their Traffic Impact Study scoping application with PennDOT. This withdrawal will remove the project from future traffic studies at the Cross Keys Intersection, promoting interconnectivity in future developments to reduce access points onto state highways.

Solicitor's Report – Melissa Kelso, the solicitor, detailed in her notes that both the County and the Township have agreed to waive potential rollback taxes on the church property transfer. However, unanimous consent from all taxing authorities is required, as per the County. Communication with the School District's solicitor has proven challenging. Melissa proposed an executive session after the Board of Supervisor meeting to explore alternative options if consensus cannot be achieved. It is important to note that no decisions are made during an executive session.

Zoning Officer's Report – PMCA—James Graham. No report at this time.

MOTION TO PAY THE BILLS: General Fund. *Jeremy P. Smith made a motion to pay the bills from the General Fund with a second from Ronald L. Weidner. The Motion was unanimously approved.*

PUBLIC COMMENTS:

Ryan Fox reported excessive communication attempts (17 calls in four days) from Gary Bolis, Jr., regarding the NOPBA, LLC zoning hearing. This contact extended to Ryan's wife and business partner. Despite being asked to stop, Bolis persisted, and his efforts felt as if he was attempting to influence Ryan's perspective on this local issue. Other residents responded to Ryan Fox's description of receiving excessive calls about the NOPBA, LLC zoning hearing. They shared their own experiences and concerns about the persistent and intrusive nature of the communications, indicating that this behavior was not isolated to Ryan but affected others within the community as well. Concerns were raised about the implications for traffic due to new developments, particularly relating to the NOPBA, LLC zoning hearing. It was noted that traffic impact studies are crucial in understanding the potential changes and challenges that could arise from these developments. The discussions highlighted the need for thorough reviews of these studies to ensure they adequately address local infrastructure capabilities and the long-term effects on traffic patterns. There was a mention of how developers might financially contribute to infrastructure enhancements as part of the development approval process, but also the legal and practical complexities of ensuring these contributions are effectively utilized and enforced. The conversation underscored the importance of having a detailed and well-supported traffic impact study to guide planning and decision-making processes to manage the potential increase in traffic and its effects on local roads and safety.

Harold Senter raised concerns about overhanging trees at the gun club and suggested addressing needy areas along Gun Club Road. Issues with the deteriorating embankment in one section of Gun Club Road were also noted. Ronald L. Weidner mentioned ongoing efforts to fill road holes.

Tim Beard expressed disappointment with the recent Zoning Hearing held at the United 33 Hook & Ladder building in New Oxford, PA, suggesting it seemed designed to discourage attendees. Ronald L. Weidner elaborated on the intended setup for the meeting, which was not implemented as planned. Numerous residents noted the absence of adequate microphones and podiums, leading to communication difficulties. Challenges faced by attendees and the need for better audio equipment for future meetings were discussed, along with suggestions for improving seating arrangements, including adding a walkway in the middle for public commenters to access the microphone/podium. Several residents also expressed concerns about the motivations behind extending meetings and discussed the potential drawbacks or advantages of recessed meetings.

Tony Long inquired about the proximity of York Water's infrastructure to Pine Run Park. The conversation revolved around the distribution of York Water in Abbottstown and neighboring areas, with considerations for feeder lines to residences and regulatory constraints regarding drainage divides and river basins. Mel Lebo mentioned that the development in the area did not generate enough interest to support the water line project. Discussion ensued regarding the surveying activities along 194 and the route of the water line toward the old fairground. The conversation concluded with a mention of a recent incident involving a hit to the main water line.

COMMENTS from the Board of Supervisors:

Ron: I've already said too much. Thank you for coming. See you next month.

Jeremy: I got some communications from concerned residents about the increased litter along our roadways. And I thought, as Earth Day approaches, April 22 is what I have written here. If we could all just take our turn and pick up some trash, at least in front of our property along the roadway, and just try to make the community look a little better, that would be great. Also, I've been asked by many people in our township, outside of our township - the white postcard did not come from this township. It did not come from this office. I don't know who it came from, but I think it's pretty cowardly not to put your name on it, but that's my opinion, and I'll leave it at that. Otherwise, thanks, everybody, for coming out.

* Ron mentioned receiving nine emails, while Jeremy confirmed he received at least ten. All supervisors noted that these emails seemed to originate from individuals outside the township, particularly from York, Dauphin, and Lancaster counties. The emails were letters opposing the special exceptions and variances for a proposed warehouse, trucking

Approved 5/6/2024

terminal, and business buildings. Both Ron and Jeremy confirmed the emails lacked personal details and contained incorrect information regarding the issue.

Ryan: Thanks for coming out. I hope you had a good Easter, and try and stay dry.

Meeting Schedule

- ❖ Finance & Budget Meeting, Tuesday, April 23, 2024, CANCELLED conflict due to Election Day
 - The next budgeting meeting is scheduled for Thursday, July 23, 2024 @ 7:00 p.m.
- ❖ Planning Commission, Tuesday, April 16, 2024 @ 7:00 p.m.
- ❖ Board of Supervisors Meeting, Monday, May 6, 2024, @ 7:00 p.m.

Adjournment: *Having nothing further to discuss, a Motion to adjourn was made at 8:12 PM by Ronald L. Weidner with a second by Jeremy P. Smith. The vote was unanimous to adjourn.*

Executive Session: An Executive Session was held immediately following the Board of Supervisors meeting. The session ended at 8:30 pm. It is important to note that no decisions are made during an executive session.

Minutes were recorded and transcribed by

Megan Carper
Secretary/Treasurer