**Hamilton Township Board of Supervisor’s**

**Regular Meeting Minutes**

**Monday, April 4, 2016**

**CALL TO ORDER:**

Meeting was called to order at 7:05 pm by Chairman, Stephanie A. Egger.

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 (arriving @ 7:15 pm); 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 March 7, 2016 Supervisor’s Meeting. Response was affirmative. Timothy D. Beard III made a **motion** to accept 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. NOMA Sewer Transition: Stephanie A. Egger stated that Berwick has hired a consultant to begin a study for the township. The study should take about 90 days.

4. Target & Firearms Ordinance discussion: Stephanie A. Egger stated that our Ordinance #2016-135 is being presented for review. Copies were distributed. Timothy D. Beard III stated that the Ordinance looks good, however, the setbacks and distances need to be addressed. Stephanie A. Egger stated that comments must be made in writing and returned to this office by Monday, 4/11/2016.

Tony Long, 1375 Pine Run Road, stated that he does not like the entire ordinance. Specific rules for archery would exclude him from shooting in his yard. The setbacks are very restrictive.

Deb Stake, 1352 Pine Run Road, stated that her entire family are hunters and they have all taken the safety classes. She feels that this ordinance would restrict their fun and pleasurable activities on their own property.

Stephanie A. Egger stated that is not the objective of this ordinance.

Deb Stake asked when we will be voting on this ordinance. Timothy D. Beard III stated that after all review is completed and the Solicitor approves the ordinance. It will probably take 1-2 months.

Stephanie A. Egger stated that we are trying to cover the basics. Ron L. Weidner said that in the case of the incident with Mrs. Deatrick, the State Police should have used our ordinance stating “reckless endangerment.”

Dorry Long, 1375 Pine Run Road, asked if this ordinance will actually change anything. Ron L. Weidner stated probably not. Ron L. Weidner believes this should be a target ordinance not a gun ordinance.

Timothy D. Beard III stated that we will review all of these comments, please submit comments in writing to the Township Office as stated.

5. PSATS Donations for the Troops: The Chairman stated that the Township is collecting donations of items to send to our Service Men & Women around the world. We will be taking the items collected to PSATS later this month. Deadline for donations is Wednesday April 6th. Flyers are on the table, the bulletin board, and on our website.

**NEW BUSINESS:**

1. State Police: Stats for service in Hamilton Twp. – No report was received

2. Liberty Fire Co. No. 11: Monthly Rpts for Hamilton Township – No report was received

3. United Hook & Ladder Co. No. 33: Monthly Rpt. for Hamilton Twp. – No report of activity was received. Kevin Moul was present and stated that they are in the mist of construction within the building. They are adding a second floor; remodeling the dispatch area and the social room, the computers went down during the remodeling, which is expected to be complete by July 2016. Cost of the project is $650,000

4. Adams Regional EMS, Inc.: Monthly Rpt. For Hamilton Township for the month of February 2016 was received. There were a total of 380 calls; 5 were in Hamilton Township.

5. Hampton Fire Co. No. 10: Monthly Reports for Hamilton Township for the month of March 2016 were received. There were a total of 28 incidents, 4 were in Hamilton Township.

6. Comcast: The Chairman stated that notice has been received from Comcast stating that they will no longer carry channel WLYH-Grit TV. Notice has been posted on the bulletin board.

7. Comcast: Stephanie A. Egger stated that Comcast has decided not to pass through the costs in our community for franchise related costs associated with providing public, educational and/or governmental access facilities, equipment and/or other costs such as franchise grants. Customers will receive a one-time credit on their April bill for amounts already charged on their billing statements January 1, 2016 through March 8, 2016.

8. Public Disaster Assistance Application: Stephanie A. Egger stated that action needs to be taken to approve the Public Disaster Assistance Application and Agreement for Financial Assistance from FEMA. This applies to the Snow Storm of 1/22/016 through 1/24/2016. Ron L. Weidner made a **motion** to approve the application. Timothy D. Beard III second the motion. Motion carried.

9. Resolution #2016-48: Stephanie A. Egger stated that action needs to be taken to approve Resolution #2016-48 to appoint the Agent for submission of the Township Application for Public Disaster Assistance. This is in reference to the Snow Storm of 1/22/2016 through 1/24/2015. Stephanie A. Egger stated that Deborah A. Brogan has prepared all the paperwork necessary for our claim. We should receive approximately 75% of our $6,309.24 claim. Timothy D. Beard III made a **motion** to approve the resolution and appoint Deborah A. Brogan as our agent. Ron L. Weidner second the motion. Motion passed by unanimous vote.

10. Tire Event: The Chairman informed the residents that on Saturday, May 14, 2016 from 8:00 am to 1:00 pm at the Adams County Agricultural Center, 670 Old Harrisburg Road, Gettysburg; Adams county Residents may bring tires in for recycling. Cost is $1.00 per tire. Pre-Registration should be made by calling Adams County Planning Office at 717-337-9827. A copy of this flyer is on the table and bulletin board.

11. OPENING OF STONE BIDS:



Ron L. Weidner made a **motion** to accept the bid from York Building Products. Timothy D. Beard III second the motion. Motion carried.

OPENING OF ROAD WORK BID:

Roads to be done are:

**(Chip Seal - 3 Roads)**

Forest Dr. - Brough Rd to Woods Rd., 1 mile, 10,560 sq yds

Locust Lane - Route 194 to Pine Run Rd., 1 mile, 10,560 sq yds

Kuhn Fording Rd - Pine Run Rd. to Winding Lane,, 6/10 mile, 4,244 sq yds

**(DBL Chip Seal - 3 roads)**

Woods Road, Pine Run Rd. to Township Line, 1 3/10 mile, 13,728 sq yds

Waldheim Rd., 6/10 mile, 6,336 sq yds

The Spangler Rd.-Gun Club Rd. to 700 Rd., 6/10 mile, 6,336 sq yds

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| **Hamilton Township** | **Bids Open 4/4/2016** |   |
|  |  |  |  |   |
| **Date Bid Received**  | **Company Name** | **25,344 sq yds #8 Single Bituminous Chip Seal - In place as per State Specs.** | **26,400 sq yds #8 Double Bituminous Chip Seal - In place as per State Specs.** | **Total Bid** |
|   |   |   |   |   |
| 4/1/2016 | Hammaker East Ltd. |  1.05  |  2.02  |  $ -  |
|   | Total Bid |  26,611.20  | 53,328.00 |  $79,939.20  |

Timothy D. Beard III made a **motion** to accept the Roadwork Bid from Hammaker East Ltd. Ron L. Weidner second the motion. Motion passed by unanimous vote.

12. EPA News Release: EPA Headquarters has released a Draft Risk Assessment for Chemicals used in Spray Adhesives, Dry Cleaning and Degreasing. This draft assessment provides workers and consumers with critical information about the risks associated with using these applications. A flyer has been posted on the bulletin board and will be on our Township Website.

**Is there any other business to come before the Board of Supervisors?**

**PLANNING COMMISSION RECOMMENDATIONS AND STATUS OF**

**ACTIVE PLANS:**

1. Chuck Harman Septic Issue: Stephanie A. Egger stated that a letter of recommendation has been received from the Planning Commission requesting that, based on advice from the Township Solicitor, Ronald Tomasko, stating that “…generally if an applicant refuses to pay the costs associated with their plan, a recommendation should be made to deny the plan.” Mr. Harman has outstanding debt and has sent the Township written request to stop progress on his plan. Therefore, by unanimous vote at their meeting held on March 15, 2016, the Planning Commission is recommending that the Board of Supervisors deny the submission of the Septic Planning Module from Mr. Charles Harman, 484 Brough Road, Abbottstown, PA 17301. Timothy D. Beard III made a **motion**, based on this recommendation, to deny Mr. Harman’s Septic Planning Module. Ron L. Weidner second the motion. Motion passed by unanimous vote. Attorney, Ronald Tomasko will send a letter of Plan denial to Mr. Harman stating the Board’s decision.

**COMMITTEE & DEPARTMENT REPORTS:**

1. East Berlin Area Community Center (EBACC) Stephanie A. Egger & Timothy D. Beard III attended the EBACC Commission Mtg. on 3/3/2016. Those in attendance were asked to go to the industries/businesses within their municipalities and ask if they can help EBACC with the presentation of skill classes that would be beneficial to them. More details were provided.

2. Abbottstown Paradise Joint Sewer Authority – Kevin Moul was present. There has been some activity with the sewer due to two new developments in Abbottstown. They are now in the Pheasant Meadows area installing new water meters.

3. Parks and Recreation Board – Ron L. Weidner stated that they are in the process of reviewing deeds for properties along the proposed trail. They are also waiting for the easement agreement from the Solicitor.

4. Emergency Management: Timothy D. Beard III stated that there have been no emergencies.

5. Tax Board Reports: Timothy D. Beard III stated that no meeting was held for YATB or for ACTCC.

6. Road Master’s Report – Jay Livingston, Road Master, stated that they have been patching potholes and other misc. road work. They will prepare to install new drainage pipes before the chip sealing is done. All else going well.

7. COG Report – Jay Livingston stated that the recycling plan is on hold for now. Speakers at this meeting were Kim Frank and the head of DEP. They talked about Hazmat issues and asked what they can do for the townships. Jay Livingston also stated that he was put in charge of a committee to look into the sharing of resources and equipment within the COG.

8. East Berlin Joint Authority Report – Ron L. Weidner stated that they are continuing to look into the sale/lease of the sewer plant.

9. Finance Committee Report – Brian Campbell stated that he has nothing to report. The next meeting will be on Monday, April 25th.

10. East Berlin Library – Brian Campbell reported that they will be moving into the new building on April 25th. They plan to be finished by end of June and the Grand Opening is planned for Sunday, July 24th. Brian Campbell stated that the Library received a $45,000 grant from Adams Electric for Solar Panels.

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

1. Sheetz: C. S. Davidson has finalized the Traffic Impact Scoping review comments including incorporation of comments from the Townships. The letter has been signed by all three Townships and is currently with Rep. Will Tallman’s office for signature. It will then need to be routed to the Adams County Planning office prior to being transmitted to Sheetz.

2. New Oxford Dollar General: C. S. Davidson has had additional correspondence and revised reports which were all intended to provide a design that would show no increase in volume being discharged for the 2 year storm event. The termination of the NPDES is subject to this requirement.

3. C. S. Davidson met with the developer and Township staff on 3/29/2016 to review the condition of the streets and develop a punch list of items to be complete prior to the Township considering an offer of dedication. The next step is for the contractor to get a paving price then they will follow up on proposed schedule. Also the developer indicated that a formal request for reduction of financial security will be forthcoming.

**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. Route 94 Motors: A telephone conversation with Judge George was held on March 4, 2016. The parties agreed on an on-site inspection to address what corrective measures are needed by Route 94 Motors to bring the property into compliance. Route 94 Motors has not been compliant and the Township will be seeking an administrative search warrant for a follow-up inspection absent Route 94 Motors voluntarily agreeing to an inspection within the next few weeks.

2. David Lease: The Solicitor’s office filed a brief with Judge George in support of the Township’s request for the maximum monetary fine as well as reimbursement of Township attorney’s fees and costs. A decision from Judge George should be forthcoming.

3. Parks & Recreation Rails-to-Trails Easement Agreements are being prepared.

4. Charles Harman: The Solicitor’s office is involved in the review process regarding a potential remedy for the Harman’s malfunctioning septic system.

5. Municipal Liens: Works continues

**Zoning Officer’s Report** – PA Municipal Code Alliance Report for March 2016 was presented by Stephanie A. Egger. For March there were 3 violation notices sent and 9 permits issued.

**MOTION TO PAY THE BILLS:**

Stephanie A. Egger presented the Board with a listing of the March 2016 bills to be approved for: General Fund $45,856.66 and Route 94 Sewer Fund $21,674.80. 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 COMMENTS:**

Brian Campbell asked about the status of the bridges project. Ron L. Weidner stated that they have agreed to use the Paradise Township Engineers because they were less money. It was made clear that the estimate included the permit costs. Paradise said that they were included.

**SUPERVISOR COMMENTS:**

**Ron:** Had no further comments.

**Tim:** Please get out and vote on the 26th. Last month there were nine cases of rabies. Please vaccinate your pets and be careful of other animals.

**Steph:** Thank you for coming.

**Meeting Announcements:**

**Next Parks & Rec Committee Meeting – Tuesday, April 12th @ 7:00 pm**

**Next Planning Commission Meeting – Tuesday, April 19th @ 7:00 pm**

**Next Finance Committee Meeting – Monday, April 25th @ 6:30 pm**

**Board of Supervisors Meeting – Monday, May 2nd @ 7:00 pm**

**Adjournment**

Having nothing further to discuss, Ron L. Weidner made a **motion** to adjourn the meeting at 8:40pm. Timothy D. Beard III second the motion. Meeting adjourned at 8:40 pm

Minutes taken and transcribed by:

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Deborah A. Brogan

Secretary Hamilton Township