

**HAMILTON TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES
MAY 6, 2024**

CALL TO ORDER: The meeting was called to order at 7:01 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, and Secretary/Treasurer Megan Carper.

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 April 1, 2024, were presented. *Upon review of the minutes from April 1, 2024, Jeremy P. Smith made a motion to approve the minutes as written, seconded by Ryan M. Groft. **The Motion was unanimously approved.***

PUBLIC COMMENTS: Ronald L. Weidner announced that public comments will be invited after each agenda item, rather than just at the beginning of the meeting.

OLD BUSINESS:

1. **Seal Coating / Tar & Chipping Bid Opening:** One bid was received from Russell Standard Corporation for \$294,215. The bid includes 180,500 square yards of Bituminous Seal Coat/Tar and Chipping. The work will cover numerous township roads, including Brough Rd, Peepytown Rd, 700 Rd, Dogwood Ct, Green Ridge Rd, Woods Rd, Forrest Dr, Locust Ln, Waldheim Rd, Kuhn Fording Rd, and Winding Ln. The total distance is approximately 17.11 miles. The work is to be done as per Pub 447, MS-0340-0005 (Bituminous Seal Coat, Tar and Chipping). The contractor will provide traffic control, and the township will provide resident notification of the work.

PUBLIC COMMENT:

- a. Gary Dull inquired about what was wrong with Winding Lane. There were discussions about the presence of alligator cracks near Berkheimer's, the state's recommendation for seal coating every three to five years, and the importance of maintaining the surface to prevent shrinkage and cracking.
- b. Donna Vacek inquired about what was in the budget for this project. Funding for the project includes remaining ARPA funds and liquid fuel money.
- c. Tony Long asked if the township will be doing any line painting. The Board confirmed there are plans for line painting to enhance road safety and visibility.

*Ronald L. Weidner made a motion to accept the bid, seconded by Ryan M. Groft. **The motion was carried unanimously.***

2. **Upper Conewago Church – Resolution Approving Declaration of Taking of a Portion of Property Known as Tax Parcel No. 17LO8-0090---000:** The Board discussed the acquisition of a 4.3-acre property next to the township. The township and county have agreed to waive the rollback taxes, but the school district has been unresponsive. This resolution involves initiating eminent domain proceedings and authorizing the Chairman of the Board to undertake all necessary actions, including negotiating a fair purchase price with the property owner.
 - a. Dorry Long inquired that by doing this then the township does not have to pay the back school taxes? There was discussion that under the Clean and Green Act, if the property is not voluntarily transferred, the taxes cannot be assessed. Since the township has the authority to take the property without the church's consent, the taxes would not apply.
 - b. Chad Clabaugh asked for clarification on the tax parcel number and the language in the resolution. The parcel number was confirmed as 17LO8-0090---000. Melissa Kelso clarified that the resolution specifies the approximate 4.3-acre portion identified in previous agreements and that the new parcel will not exist separately but will point to the parent track parcel.
 - c. Jim Ulrich asked how the land will be used. The Board stated that the land will remain as it is currently, with the farmer continuing to farm it. There are no immediate plans to expand, but the land will be available for future needs.

*Ronald L. Weidner made a motion to adopt Resolution 2024-16, authorizing the filing of a Declaration of Takings for the 4.3-acre portion of the property (Tax Parcel 17LO8-0090---000) under the eminent domain code, with a second by Jeremy P. Smith. **The motion was unanimously approved.***

NEW BUSINESS:

1. **Resolution No. 2024-15: Escrow Fees for Subdivision and Land Development:** The Board discussed Resolution 2024-15, which introduces a \$3,000 escrow fee for zoning hearing board applications. The funds will be placed in an interest-bearing account to cover hearing costs, ensuring township funds are not used for applicant expenses. Additionally, the administrative fee for all new escrow accounts will increase from \$30 to \$100 to cover the costs of managing the account. Chad Clabaugh suggested that while the current resolution is a good step, the township may need to consider additional provisions for traffic impact study reviews in the future, especially as these are becoming more common. *Jeremy P. Smith made a motion to adopt Resolution 2024-15, with a second by Ryan M. Groft. The motion was unanimously approved.*
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. **NOBPA, LLC: Zoning Hearing** – The zoning hearing date is set for May 22, 2024, at 7:00 PM at United Hook and Ladder building, 21 North Bolton Street, New Oxford.

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 at the April 22nd meeting. There were no updates on the RACP or the Adams County Community Foundation Grant. The Capital Campaign Committee is awaiting state approval for pairing with the DAZA group. In March, the indoor yard sale and the thrift shoppe generated \$5,209 and \$5,239, respectively, with 250 volunteers contributing 1,391 hours. Upcoming events include a Mother’s Day plant sale and a shred event on May 11th. Baked chicken platter orders are due by May 5th, with pick up on May 16th. The next board meeting is on May 20th, and spring newsletters have been mailed out.
2. **Abbottstown Paradise Joint Sewer Authority (APJSA)** – Kevin Moul. No Report.
3. **Emergency Management** - Paul Minnich mentioned an upcoming EMC meeting on May 14th at the Emergency Management Center in Gettysburg. Ronald L. Weidner inquired about the setup for the May 22nd zoning hearing, ensuring additional microphones and adequate seating. Dorry Long suggested the sign-in book placement closer to the entrance. Jeremy P. Smith recommended a central walkway for better organization.
4. **YATB Tax Board Reports** - Jeremy P. Smith reported on YATB’s April 29th meeting. The first-quarter net income was \$356,622.94. They approved the 2023 audit, member refunds (\$6,472.68 to Hamilton), a January 2024 refund (\$14.53 to Hamilton), and a resolution to destroy records from 2017 and earlier.
5. **ACTCC Tax Board Reports** – Jeremy P. Smith reported that on April 29th, ACTCC approved the 2025 YATB collection fee at 1.75% and a \$2 million bond, both unchanged from the current year.
6. **Rd Master’s Report** – Ronald L. Weidner reported in place of the Roadmaster. Public Works plans to tackle various tasks in May, including road maintenance on Waldheim Rd and repairs on Old Mill Rd. Weekly equipment washing and rainy-day maintenance are scheduled. Other duties include drainage checks and roadside mowing. Protectory Rd work has been completed.
7. **East Berlin Area Joint Authority** – Ronald L. Weidner reported that the East Berlin Joint Authority received a \$1 million state grant and a \$750,000 county grant intended for extending sewer and water lines to Weis Market on Route 194. He questioned the necessity of this extension, suggesting the funds be used to upgrade old infrastructure instead. The board may consult with grant providers about options for reallocating the funds.

Approved 6/3/2024

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

- a. Herman and Klein Subdivision (2997.3.26.06) May 2024 -CSD provided comments on the deeds. They have been corrected which addressed the conditional of approval. The plans were signed for recording. This item will be removed from future engineer's reports.
- b. Pennwood Products Development (2997.3.16.13) May 2024 -There was nothing on the revised report that changed anything from a Township perspective. At this point, we are just waiting for a formal Land Development Submittal.
- c. New Oxford Logistics (2997.3.14.14) May 2024 -CSD and TRG, reviewed the Traffic Impact Study, met with the Township Zoning officer, and provided a review letter on 4-25-2024. We've asked for responses to be provided one week in advance of the next zoning hearing.
- d. Royal Farms (2997.3.18.14) May 2024 -We've received a formal withdrawal of the traffic study. The township should respond to the request from PennDOT as it relates to the New Oxford Logistics. This item will be removed from future engineer's reports.
- e. Township Office/Church Survey Plans conditionally approved back in September and nearing completion. Awaiting final review and signatures.
- f. Cross Keys Corridor Traffic Study Another meeting is scheduled this month. Data collection is ongoing with significant public feedback received. Awaiting proposed action items.

Solicitor's Report – Melissa Kelso confirmed that all her points have been covered.

Zoning Officer's Report – PMCA— Ronald L. Weidner read the Zoning Officer, James Graham's report. Eleven permits were issued, three complaints were received, seven violations are pending, and one upcoming zoning hearing is scheduled.

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:

Tony Long asked about the pricing for the shredding event. Ryan M. Groft confirmed the event charges \$5 per box, with a limit of four file boxes per vehicle. Tony also inquired about PennDOT's involvement with the New Oxford Logistics project regarding traffic impact and infrastructure improvements. There was discussion that the traffic study has not yet been submitted to PennDOT. Once the township and traffic consultants finalize their comments, the study will be submitted for PennDOT's review. The approval process involves multiple steps, and PennDOT's requirements may affect the project's feasibility.

Heidi Hartlaub mentioned road issues on Forest Drive near Route 94, mentioning a small hole near the bridge and a larger hole near a yellow marker. Ronald L. Weidner noted the issues and assured Heidi that they would look into this matter.

COMMENTS from the Board of Supervisors:

Jeremy: Happy Memorial Day

Ryan: Thanks for coming out, Happy Mother's Day

Ron: I want to thank you all for coming out too

Meeting Schedule

- ❖ Planning Commission meeting on Tuesday, May 21 @ 7:00 p.m.
- ❖ Board of Supervisors meeting on Monday, June 3 @ 7:00 p.m.
- ❖ Finance and Budget meeting on Thursday, July 23 @ 7:00 p.m.

Adjournment: *Having nothing further to discuss, a Motion to adjourn was made at 8:10 PM by Jeremy P. Smith with a second by Ronald L. Weidner. **The vote was unanimous to adjourn.***

Minutes were recorded and transcribed by

Megan Carper
Secretary/Treasurer