

## Hamilton Township Board of Supervisors

### Regular Meeting Minutes

Monday, June 7, 2021

**CALL TO ORDER:** The meeting was called to order at 7:00 PM with the Pledge of Allegiance by Parliamentarian Stephanie A. Egger.

Supervisors present were Ronald L. Weidner, Timothy D. Beard, III and Michael A. Strausbaugh. Also present were Ronald T. Tomasko, ESQ, Chad Clabaugh P.E., from the firm C.S. Davidson, Inc., Parliamentarian Stephanie A. Egger, and Assistant Secretary Jessica Baim.

### APPROVAL OF MINUTES:

Regular Scheduled Meeting, May 3, 2021.

*Upon review of the minutes of the May 3, 2021, regular meeting, a motion was made by Michael A. Strausbaugh to approve with the adjustment of Forest Drive versus Forest Road under Roadmaster comments, with a second by Timothy D. Beard, III. **Motion was unanimously approved.***

PUBLIC COMMENTS: None

### OLD BUSINESS:

1. SPCA Collection: We continue to collect items for the Adams County SPCA for the care of the animals at the shelter. They need towels, blankets, toys, etc. in good condition. Stephanie Egger expressed the need the SPCA is experiencing and reminded the residents if anyone wants to donate, they can bring items to the Township building and the Township will take the items to the SPCA.
2. Beaver Creek Road Bridge Rehabilitation update: Chad Clabaugh P.E., of C.S. Davidson informed that the Beaver Creek bridge does not qualify for the dirt & low volume gravel grant. Chad Clabaugh P.E., of C.S. Davidson informed the feasibility study is done and the box beam option was approved by Hamilton Township. Currently C.S. Davidson is waiting on Paradise Township for a formal response. Chad Clabaugh P.E., of C.S. Davidson informed that the Township will need to keep PennDOT updated on the latest status as PennDot will continue to do inspections every six months. Timothy D. Beard, III informed that LTAP will be setting up traffic counters for Beaver Creek, Home Road, and Protectory Road bridges.
3. Home Road and Protectory Road Bridges: Chad Clabaugh P.E., of C.S. Davidson received confirmation that Hamilton Township and Paradise Township agree to installing concrete boxes. Home Road and Protectory Road bridges may qualify for the dirt & low volume gravel grant. Deb Musselman from Adams County Conservation District office is willing to go out to the site and review to see if the bridges would be a good fit for the grant. Chad Clabaugh P.E., of C.S. Davidson reviewed an email dated June 7, 2021 informing the next decision for these bridges is to bid by the fall of 2021. Chad Clabaugh P.E., of C.S. Davidson wanted to see if any work would be done in house or with Paradise Township. Ronald L. Weidner informed that it was already voted on by Hamilton Township at the May 2021 Board of Supervisors meeting, that the full project will be bid out to prevent any interruption of the project. Ronald L. Weidner informed that Clark Craumer suggested that Paradise Township recommend bidding out, but Hamilton Township has not heard anything. Chad Clabaugh P.E., of C.S. Davidson informed he will reach out to Paradise Township to obtain their answer. Chad Clabaugh P.E., of C.S. Davidson confirmed that Stephanie Egger received the instructions of the E-permitting system to set up the account for DEP permits.

**NEW BUSINESS:**

1. State Police: Stephanie Egger read the reports for the months of April and May. For the month of April there was a total of 35 incidents: 20 service, ten criminal, five crash reports. For the month of May there was a total of 73 incidents: six criminal, six crash, 60 service, and one no response required.
2. Northeast Adams Fire Co. #32-FIRE: Stephanie Egger read the report for the month of May there was a total of 38 incidents, two in Hamilton Township.
3. Northeast Adams Co. #32- EMS: Stephanie Egger read the report for the month of May, there was a total of 105 incidents, ten in Hamilton Township.
4. United Hook & Ladder Co. No. 33: No report
5. Adams Regional EMS, Inc. Monthly Report for Hamilton Township: Stephanie Egger read the reports for the months of March and April. For the month of March there was a total of 715 incidents, 11 in Hamilton Township. For the month of April there was a total of 681 incidents, four in Hamilton Township. Stephanie Egger announced the 2021-2022 Ambulance subscription drive is occurring, there is more information in the Township office foyer, or on the Township website.
6. Robin Heyser, President of EBACC (East Berlin Area Community Center): Robin Heyser reviewed the letter dated Monday, May 3, 2021. The EBACC Board is considering options and would like the Township's input. Option # 1: Would Hamilton Township support creating a joint recreation commission with participating Township and Boroughs with EBACC remaining in the current location and obtain the title with the letter of intent stipulations from the East Berlin Borough? This would make EBACC a government agency and no longer a non-profit. The details of the commission duties would be discussed later. One clause of this option is a "revert clause" that if the property is no longer being used for recreation purposes East Berlin Borough would get the property back. Option #2: Would Hamilton Township support creating a joint recreation commission with participating Townships and Boroughs with EBACC implementing a capital campaign and raising money to pursue a new building and location? Option # 3: Would Hamilton Township support EBACC implementing a capital campaign to pursue a new location and building and remain a supporting partner and continue to donate financially to EBACC? Option #4: Would Hamilton Township support EBACC implementing a capital campaign to pursue a new location and building and remain a supporting partner and continue to donate annually financially based on a "per capital" to EBACC? Robin Heyser has already met with all the other Townships. Ronald L. Weidner asked what the responses from the other Townships were. Robin Heyser indicated that Abbottstown Borough, Reading Township, and Paradise Township will not be part of a joint commission, and Washington Township is not in favor but have not given a firm answer. Washington Township does want to financially support, but they merged with Northern, so they are figuring out details of the merger. East Berlin Borough, Robin Heyser indicated she has not spoken to but knows their opinions. Robin Heyser feels the Townships and Boroughs do not agree on the joint commission based on the revert clause. Reading Township and Abbottstown Borough will financially help but do not want any part within the everyday activity. Ronald L. Weidner asked what financial help EBACC receives? Robin Heyser indicated it is based on fundraisers, classes, and donations. EBACC does have a grant writer and they will receive roughly \$75,000.00 this year and next year they are purposing roughly \$200,000.00. Ronald L. Weidner asked if East Berlin is willing to negotiate the revert clause? Ronald L. Weidner asked Attorney Tomasko about the revert clause and confirmed that it is not out of line. Robin Heyser indicated that EBACC already put about \$400,000.00 over the last few years and within the next five to eight years a million dollars of repairs must be done. Reviewing the minutes, EBACC has put 2.3 million dollars into capital improvements into the current building. Ronald L. Weidner indicated the revert clause should have a market value assessment when the property is sold. Robin Heyser indicated that she has been told that if the property is put up for sale it would be land value which is about eight acres. Anthony Long questioned what EBACC is leaning towards out of the four options? Robin

Heyser indicated they are leaning towards capital campaign and new building. Robin Heyser feels that they do want to stay close and offer many more programs. Ronald L. Weidner questioned about other land options. Robin Heyser indicated that there is a property in Reading Township that is six acres which is a donation that can be expanded up to 20 acres but is not zoned correctly. The other location is in Hamilton Township on the old Adams Fairground. Scott Inners, current property owner is willing to donate four acres and let EBACC use, lease, or purchase the full fairgrounds which is 22 acres. Scott Inners gave EBACC six months to provide an answer to him. Ronald L. Weidner asked Stephanie Egger what the Township currently donates which is \$3,000.00. Ronald L. Weidner asked Michael A. Strausbaugh his thoughts. Michael A. Strausbaugh indicated he feels that option #3 would be his recommendation. Ronald L. Weidner asked if any other Townships are looking at option #3? Robin Heyser indicated that almost all except for Washington Township have agreed to option #3. Robin Heyser indicated the original agreements did not include the rate of increase or per capita donation amount. Timothy D. Beard, III questioned the per capital cost which is \$3.00 per resident for option #4. Stephanie Egger indicated if the Township did option #4 that would be a \$7,600.00 donation. Ronald L. Weidner feels that a donation of \$7,600.00 the Township can financially handle. *A motion was made by Timothy D. Beard, III to approve option #3 and the donation would be \$7,600.00 with a second made by Michael A. Strausbaugh.* **Motion was unanimously approved.**

7. Resolution No. 2021-40 Invest matured trust funds into CD'S: The Board of Supervisors instructed the Treasurer to invest matured trust funds into Certificates of Deposit as follows: \$90,000.00 in a CD for Capital Expense at a rate of .20% for a period of eight months and \$68,000.00 in a CD for Unallocated funds at a rate of .25% for a period of 15 months and \$114,000.00 in a CD for Excess General Checking at a rate of .35% for a period of 24 months. The Board of Supervisors of Hamilton Township resolve to deposit the above funds in CD's as prescribed and it is resolved that the above funds were deposited in the ACNB (Adams County National Bank) on May 11,2021 as prescribed and approved by the Board of Supervisors. This resolution No.2021-40 has been approved and executed on the 11<sup>th</sup> day of May 2021. This Resolution No.2021-40 is ratified this seventh day of June 2021. *A motion to approved was made by Ronald L. Weidner, with a second made by Timothy D. Beard, III.* **Motion was unanimously approved.**

8. Resolution No. 2021-41 Transfer of Funds from the General Fund Checking to a 15-month CD: The Board of Supervisors instructed the Treasurer to transfer excess general funds into a Certificate of Deposit as follows: \$100,000.00 from the General Checking Fund to a 15-month CD at .25% interest rate. The Board of Supervisors of Hamilton Township resolve to deposit the above funds in a CD as prescribed and it is resolved that the above funds were deposited in the ACNB (Adams County National Bank) on May 12,2021 as prescribed and approved by the Board of Supervisors. This Resolution No.2021-41 has been approved and executed on the 12<sup>th</sup> day of May 2021. This Resolution No.2021-41 is ratified this seventh day of June 2021. *A motion to approved was made by Ronald L. Weidner, with a second made by Michael A. Strausbaugh.* **Motion was unanimously approved.**

9. Confirming the investment objectives for the current Trust Funds:

Stephanie Egger reviewed the annual letter confirming investment objectives for the current Trust Funds: Unallocated Capital Twp. Exp Trust, Unallocated Funds, and Excess General checking. *A motion to approve and sign the policy statements was made by Ronald L. Weidner, with a second made by Timothy D. Beard, III.* **Motion was unanimously approved.**

10. Community Media Letter: Stephanie Egger read a portion of the letter from Community Media dated May 18, 2021. The fiber optic broadband project is an expensive and daunting task and will take a lot of hefty lifting to complete. It is doable and important for Adams County. Community Media is seeing things begin to gel as Community Media gets to know more people and companies in the industry. The need for high speed, affordable, and reliable broadband was made so apparent by the distant learning and work-from-home requirements during the pandemic. With municipal funds available for broadband infrastructure, Community Media believes now is the time that a fiber optic broadband network can realistically be built in the next five years in Adams County. Community Media hopes you support this important, local project. Stephanie Egger

reviewed that the COVID relief funds would qualify for the broadband infrastructure. Michael A. Strausbaugh wanted to make a motion to table till this could be reviewed more. Ronald L. Weidner confirmed that this is one of the things COVID relief funds can be used for. Stephanie Egger informed that the company has been in the area for over 20 years. Stephanie Egger informed she will research to make sure the donation is not more than the five years COVID fund grant is available. *A motion to table was made by Michael A. Strausbaugh, with a second made by Ronald L. Weidner. Motion was unanimously approved.*

11. Discussion and decision on the application for the COVID Relief Funds: Stephanie Egger reviewed the Township will be granted \$268,790.54 with that broken down into two payments; this year \$134,395.27 and the same for next year. COVID relief fund grant is really limited but can be used towards the fire companies and to improve broadband. This will need to be used on qualifying items within the guidelines of the relief fund and used within five years or returned. Ronald L. Weidner requested the staff explain what they had to do for this to be submitted. Stephanie Egger informed it took the Township staff six hours to complete. *A motion to approved application submittal and Stephanie Egger as authorized signature for the application was made by Michael A. Strausbaugh, with a second made by Ronald L. Weidner. Motion was unanimously approved.*

Is there any other business to come before the Board of Supervisors: Donna Vacek, a resident on Cherry Lane handed out pictures of the property at 82 Cherry Lane, a portion of the fence is down around the pool and the grass is about knee high in the backyard. The property is vacant because the owner is in Virginia in a rehabilitation center and the wife left him and the property. Donna Vacek is not sure who the new owner is or who should be taking care of this but last year they did mow it and since the cost of gas has gone up and it is not really their responsibility, they would like to know what can be done. She indicated there was a group of two individuals who mowed it the prior week, but they did not seem to know what they were doing, and it shows. She has sent a letter to the establishment in Virginia, Donna Vacek indicated it was Jewish something about the possible interest in purchasing the property and has not heard anything back. She would appreciate this investigated and follow up with her. Ronald L. Weidner informed that the Township does have a contract with a third party to handle mowing that would then be a lien on the property if nothing was paid. Ronald L. Weidner suggested that the Zoning Officer, Scott Weaver search the property and the Township will investigate what can be done.

### **Planning Commission recommendations and status of active plans:**

#### Letter from Planning Commission:

1. The Klein Subdivision Plan is presented for final approval: (Provided the signatures, seals and notary seal are present). Recommendation for Conditional approval of the Klein Subdivision. The Conditional approval shall be for a 30-day period pending the completion of the following conditions: the plan reflects the front yard setback as 25'. Side yard setbacks should reflect a total of 35'. Stormwater management symbol removed on the final plan due to the utilization of a complete disconnection system. Final Plan must include a note for at least 50% to remain open/green space. Final Plan to include the Engineer Signature Box. Chad Clabaugh P.E., of C.S. Davidson wanted it to be noted that the 50% to remain open/green space is per Andrew Merkel of ACOPD and not C.S. Davidson. Chad Clabaugh P.E., of C.S. Davidson confirmed all conditions have been met. *A motion to approve without condition was made by Ronald L. Weidner, with a second made by Timothy D. Beard, III. Motion was unanimously approved.*

### **COMMITTEE & DEPARTMENT REPORTS:**

## APPROVED WITH CORRECTION

1. East Berlin Area Community Center (EBACC): Cyndi Bisacre reported the Spring newsletter was issued, if any Township residents did not receive, contact East Berlin Area Community Center directly. In June there will be an indoor yard sale on the 10<sup>th</sup>, 11<sup>th</sup>, and 12<sup>th</sup> which is a fundraiser. The thrift shop is located in the East Berlin Area Community Center and will accept any donations since the Township no longer has the Community Aid bin. Another fund raiser is the golf tournament if anyone is still interested call to check on possible openings. Stephanie Egger informed the residents in the audience that Cyndi Bisacre is Hamilton Township's representative for EBACC and there are still an opening since there is two spots for Hamilton Township on the EBACC board.
2. Abbottstown Paradise Joint Sewer Authority: No Representative present. No report.
3. Parks and Recreation Committee: No report. No meeting.
4. Emergency Management: Timothy D. Beard, III reported there was no activity for the month of May.
5. YATB & ACTCC Tax Board Report: Timothy D. Beard, III informed that YATB did not have a meeting for the month of May. ACTCC had their meeting at the Straban building due to the Emergency Management building hosting vaccines. There was a hard time to obtain a quorum, they had to phone call people into the meeting. The next two meetings will be held at the Straban building. ACTCC has a balanced budget with the most utilized for legal and \$30.00 for advertising.
6. Road Master's Report: Thomas Barrows, Roadmaster was not in attendance due to fighting a fire, but Ronald L. Weidner filled in for the report. Ronald L. Weidner informed that the Mack truck that did not pass inspection due to the frame being cracked, has been welded and passed inspection. The Kubota tractor the bracket is being repaired to use for roadside mowing. The zero-turn mower needs a seal replaced which is currently being repaired by the Public Works Department. The pickup truck was involved in an accident with estimations around \$10,000.00 the Township is not at fault for the accident which occurred on Old Mill Road. Ronald L. Weidner informed that within the next month to six weeks there may be dust as drainage gutters are being cut-in throughout the Township.
7. COG: No report.
8. East Berlin Area Joint Authority: Ronald L. Weidner informed that East Berlin was painted on the water tank. This was voted at a meeting where he was not in attendance. The total cost of the project was \$10,500.00 which he feels is more than it should have been. It was found out during a completion review that a valve was missed during the construction phase, which is now currently backordered. Once this part is in the tank will need to be drained again to install.

**Engineer's Report**: Chad Clabaugh P.E., from C.S. Davidson reviewed June 2021 report.

### **1. SUBDIVISION, LAND DEVELOPMENT, and STORMWATER PLAN REVIEWS:**

Stormwater Plans: C.S. Davidson provided comments and recommendation for approval once comments were satisfied. C.S. Davidson received a call on 6-7-2021 for inspection for Clifford and Tammie Ayers located at 10 Hunter Circle, Abbottstown.

Eisenhart Subdivision: The waivers requested for frontage to public right of way and township paving specs were conditionally approved by the Supervisors. After receiving approval of the waivers, the plan was permitted to proceed. C.S. Davidson subsequently completed the review of the plans last revised 5-10-2021 and provided a review letter dated 5-11-2021 with 5 comments. C.S. Davidson has since received revised plans dated 5-14-2021 which is under review. This revised plan will be on the next Planning Commission agenda for consideration.

### **2. LAND DEVELOPMENTS and STORMWATER PLANS UNDER CONSTRUCTION:**

Old Mill Road Wedding Venue: Chad Clabaugh P.E., from C.S. Davidson informed there is a wedding schedule for June at the venue that he feels is ok to have but Scott Weaver, Zoning Officer would need to give permission. Rusty Ryan has not given the approval based on grass growing issues on the property.

Sheetz: June 2021 – The NPDES permit was terminated. At this point the project can be deemed complete. The applicant will be sending a formal request to the Township requesting release of security. C.S. Davidson will certify the release once received.

DJ Homes: Chad Clabaugh P.E., from C.S. Davidson reviewed that the Township sent a letter inquiring about the security being held and the incomplete public improvements. Stephanie Egger and Jessica Baim confirmed a letter was issued on behalf of these items last month but there has been a death within the partnership. Ronald L. Weidner continued that the Township has been made aware that Mr. Krichten will oversee these as his partner Mr. Smith unexpectedly passed away. The widow of Mr. Smith called in and requested some information on an electrician for the light installation and informed DJ Homes will install the street signage. Chad Clabaugh of C.S. Davidson confirmed she was aware of all the improvements that are required, and Ronald L. Weidner confirmed she was, and the Township is working with her.

### **3. OTHER PROJECTS**

Beaver Creek Road Bridge: The Supervisors of Hamilton opted for Option 1 – Spread Box Beams with a proposed Clear Deck Width of 28'. Representatives from Paradise anticipate the same decision from their Board but are waiting on a formal decision. We have also discussed the project with the Adams County Conservation District for consideration of the dirt, gravel and low volume (DGLV) road grant program and they have determined that this project will not be eligible.

Home and Protectory Bridges: A decision to go with the Box Culverts with a 28' width has been made by both Townships. C.S. Davidson is progressing the design based on this information. Also, since the Beaver Creek Road Bridge is not eligible for DGLV road money these bridges are being considered instead. The Adams County Conservation District has offered to do a pre-grant application evaluation of these bridges to see if this program would be a good fit. Also, C.S. Davidson sent an e-mail on 6-7-2021 to get the discussion started regarding what, if any, construction work will be done in-house vs. contracted so C.S. Davidson can provide updated estimates for bidding and construction phase engineering services.

Solicitor's Report: Attorney Tomasko presented his May monthly report where he reviewed that Mr. Lease did reach out to obtain total balance due at that point to both Stephanie Egger, Office Manager and the Legal firm that is handling the Sheriff Sale. Other items that Attorney Tomasko assisted with was the Eisenhart Subdivision, and the Driveway Ordinance Amendments.

Scott Weaver, Zoning Officer's Report: Stephanie Egger read the report for the month of May there was a total of seven zoning permits issued: one for a patio, one for demolition at 160 Gun Club Rd to bring into compliance, two for a fence, one for a pole building, one for a driveway, and one for a shed. On Planning Commission agenda: Pine Run Phase III, Eisenhart Subdivision, Klein Subdivision, and no new subdivisions or land developments presented this month.

### **MOTION TO PAY THE BILLS:**

*Motion to pay the bills for the General Fund was made by Timothy D. Beard, III., with a second by Ronald L. Weidner. The motion was approved unanimously.*

**PUBLIC COMMENTS:** None

### **SUPERVISOR COMMENTS:**

Ron: Nothing more to say, spoke enough for tonight.

Tim: Hope everyone has a nice Fourth of July. Be safe.

Mike: Thank you for coming out tonight. Happy Fourth of July.

### **Meeting Announcements:**

APPROVED WITH CORRECTION

Board of Supervisors: Monday, July 12, 2021 @ 7pm

Parks and Recreation Board: Meetings are cancelled indefinitely until activity resumes.

Planning Commission: Tuesday, June 15, 2021

Budget/Finance Workshop: Tuesday, July 27 @ 6:30 PM

**Adjournment:**

Having nothing further to discuss, Motion to adjourn was made at 8:23 PM by Ronald L. Weidner and second by Timothy D. Beard, III. ***The vote was unanimous to adjourn.***

Minutes were recorded and transcribed by

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Jessica Baim

Assistant Secretary