Hamilton Township Board of Supervisor’s

Regular Meeting Minutes

Monday, July 6, 2015

**CALL TO ORDER:**

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

Christopher Coover, from Boy Scout Troop 125, New Oxford, led the meeting in the Pledge of Allegiance to the Flag.

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; 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 June 1, 2015 Supervisor’s Meeting. Response was affirmative. Timothy D. Beard III made a **motion** to approve 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. Recycling: Stephanie A. Egger informed the residents of the theft that has happened, every week all the aluminum cans and several barrels have been taken. Timothy D. Beard III is concerned that if we stop the recycling, people will start dumping along the roads. Ron L. Weidner stated that he supports ending the recycling. Ron L. Weidner stated that a remedy to this might be obtaining a trailer which would only be open at certain times. Ron L. Weidner stated that he thinks we can obtain a trailer at no cost. We could have volunteers monitor the recycling. Timothy D. Beard III and Ann Harman (resident) both stated that they support the end of recycling. Also stating that if we got a trailer, residents may start leaving stuff around the trailer if it’s not open. After further discussion, Ron L. Weidner made a **motion** to end the recycling program. Timothy D. Beard III second the motion. Motion passed by unanimous vote. Stephanie A. Egger will notify Adams Rescue Mission.

4. Stephanie A. Egger stated that we received a letter from York Health Foundation, thanking us for the use of the building during Bike Ride event.

5. Stephanie A. Egger stated that the Hazard Mitigation Plan for our community has been accepted by FEMA. We are now eligible, if needed, to apply for Federal Disaster Assistance until the plan expires on 6/25/2020.

**NEW BUSINESS:**

State Police: Stephanie A. Egger stated that the report for June 2015 was received. There were 28 incidents in Hamilton Township; 7 criminal, 2 collisions and 19 service calls.

Liberty Fire Co. No. 11: Mike Thomas presented his report for June 2014. In June there was one (1) call in Hamilton Township.

United Hook & Ladder Co. No. 33: The Chairman presented the report for May 2015. There were 35 incidents, 2 were in Hamilton Township.

Hampton Fire Company: P J Trimmer was present from Hampton. He presented his report for June 2015. They had 27 incidents, one (1) was in Hamilton Township.

Stephanie A. Egger stated that we received a notice from Comcast that they are making a change to the MultiLatino Tier. A copy of this notice is on the bulletin board.

The Chairman stated that approval is needed for the Aero Energy Maintenance Agreement for two (2) Air Conditioning Units for a period of one (1) year (6/1/2015-6/1/2016) Timothy D. Beard III made a **motion** to approve the agreement. Ron L. Weidner second the motion. Motion passed by unanimous vote.

The Chairman stated that Resolution #2015-58 needs to be approved. This is a replacement Resolution, (replacing Resolution #2015-54). This resolution is a clearer statement of the dissolution of the Study Committee which is part of the Parks & Recreation Board. Ron L. Weidner made a **motion** to approve the resolution. Timothy D. Beard III second the motion. Motion carried.

8. Opening of Stone Bids: The Township received two (2) sealed bids for the requested bid for Stone. Stephanie A. Egger opened and read the bids as shown below. Attorney, Ronald Tomasko looked over the documents and both were in order.



Stone Bid continued: Ron L. Weidner questioned if the 3/8 Antiskid was too big. Jay Livingston stated that PennDot has changed the specs and this is correct. After further discussion, Ron L. Weidner made a **motion** to accept the bid from York Building Products. Timothy D. Beard III second the motion. Motion carried.

9. New Oxford Municipal Authority (NOMA): Stephanie A. Egger stated that we received a letter from NOMA stating the potential purchase or operation of Hamilton Township’s sanitary sewer collection system. This system discharges into the Berwick Township sewer system and wastewater treatment plant. (Stephanie A. Egger read the letter for the residents, stating that we have been working on this since October 2014) Stephanie A. Egger presented a list of the benefits that the residents would receive:

1. Estimated 20% reduction on bills for a minimum of three years

2. Increase in number of gallons permitted from 6,000 to 10,000 (bi-monthly)

3. All sewer loans would be absorbed by NOMA

Timothy D. Beard III stated that this will help keep our promise of lowering their sewer bills. Ron L. Weidner stated that it’s a better deal for everyone concerned. Ron L. Weidner also stated that if Berwick refuses to release the township from the agreement, we would then push for the establishment of the Sewer Authority.

Ryan Fox, 29 Stonybrook Lane, New Oxford, asked if we can challenge Berwick to a sewer audit and possibility a new agreement. Stephanie A. Egger stated yes. Ryan Fox asked about attending the Berwick Board meeting. Stephanie A. Egger informed them of the meeting date and gave them a copy of the NOMA letter as requested.

Chad Clabaugh stated that there are three options on the table: Berwick says no, they release us from the agreement and we go with NOMA, or Berwick Twp. sells entire system.

Attorney Ronald Tomasko stated that Berwick Twp. really has no incentive to release Hamilton Township from the agreement. Ron L. Weidner stated that Berwick Twp. has refused to do the authority.

It was suggested that as many of the residents that could, should attend the Berwick Board meeting on 7/13/2015 @ 6:00 pm and that one of the residents might contact the press.

Ron L. Weidner made a **motion** to authorize our Solicitor to draft a letter to Berwick Twp concerning this matter. Timothy D. Beard III second the motion. Motion passed by unanimous vote.

10. Shaffer Design Associates: Stephanie A. Egger stated that action needs to be taken to approve the Proposal for Services. Stephanie A. Egger stated that our building plans have been revised into two phases. This proposal is for making the changes. We will be starting with Phase 1, the Garage. Chad Clabaugh stated that by splitting the two projects, the pricing will go down because we will be using separate contractors. Timothy D. Beard III made a **motion** to accept the proposal of services. Ron L. Weidner second the motion. Motion carried.

11. Road Bid Request: Stephanie A. Egger stated that action needs to be taken to approve Jay Livingston’s requested Road Bid for Woods & Waldheim Roads. Woods Road requires single seal coat and Waldheim Road requires a double seal coat. Timothy D. Beard III made a **motion** to approve this request. Ron L. Weidner second the motion. Motion carried.

12. Road Resurfacing: Stephanie A. Egger stated that action needs to be taken to approve Jay Livingston’s requested Road Re-surfacing of Beaver Street. This would be done with the rental of a paver if reasonable pricing can be obtained, or to have work done by an outside source at reasonable pricing. Timothy D. Beard III made a **motion** to approve this request. Ron L. Weidner second the motion. Motion carried.

13. Resolution #2015-59: Stephanie A. Egger stated that action needs to be taken to approve Resolution #2015-59 transferring $7,500.00 from ACNB 94 Sewer MM Account to the Susquehanna Commercial Loan Account. Stephanie A. Egger stated that this would cover the next quarter. Ron L. Weidner made a **motion** to approve the funds transfer and the Resolution. Timothy D. Beard III second the motion. Motion carried.

14. Conewago Creek: Stephanie A. Egger stated that we received a notice from Adams County Department of Emergency Services stating that based on current conditions on the Conewago Creek, the County is advising municipalities along that creek that recreational restrictions on fishing, boating and swimming may be lifted at this time.

15. Firearms Training Range: Stephanie A. Egger read a memo received from Randy Phiel, Adams County Commissioner, Chairman, concerning the fund raising event for the proposed Firearms Training Range. Stephanie A. Egger stated that they are proposing the formation of classes for the residents. Information concerning the Firearms Range is available at the township office.

**PLANNING COMMISSION RECOMMENDATIONS AND STATUS OF**

**ACTIVE PLANS:**

1. Pembroke Pointe Farm Riding Stable Preliminary/Final Land Development Plan: The Chairman stated that a Letter of Recommendation has been received from the Planning Commission. They are recommending that this plan be approved pending the completion of the following: 1. A Letter of Credit, accepted and approved by the Township Solicitor; 2. SWM Agreement signed and notarized; 3. Outstanding invoices are paid. Twp. Engineer, Chad Clabaugh of C. S. Davidson, has submitted a letter determining that the Improvement Security amount should be set at $5,000.00 (Five thousand dollars and no cents).

Stephanie A. Egger stated that we received the SWM agreement, signed and notarized, we received a check for the Improvement Security for $5,000.00 from Donna Bernini, and all outstanding invoices have been paid to date. Attorney, Ronald Tomasko stated that all the documents are in order. A representative for Donna Bernini asked when she would receive the Improvement Security would be refunded. Chad Clabaugh stated that when the project is completed, all billing is completed and paid, and all inspections are done. It’s a process that needs to be followed to protect the Township.

Timothy D. Beard III made a **motion** to approve the escrow amount, the SWM Agreement, and Plan approval. Ron L. Weidner second the motion. Motion passed by unanimous vote.

**COMMITTEE & DEPARTMENT REPORTS:**

1. East Berlin Area Community Center (EBACC): Stephanie A. Egger stated that we are still in need of a volunteer to serve on the EBACC Board. No report was received.

2. Abbottstown Paradise Joint Sewer Authority – No report was received.

3. Parks and Recreation Board – No report was received.

4. Road Master’s Report – Jay Livingston, Road Master, stated that they have been working on the roads, filling potholes and doing some patching. Patching has been difficult due to the wet weather. We have purchased a used mower, which they have worked on and is now running well. They have been working with Paradise Twp, looking into solutions and alternatives for the bridge work that needs to be done. He thanked the Board for approving his road work bid requests.

5. COG Report – Jay Livingston, Roadmaster, stated that discussions were as follows: Kathy Gaskin, from Adams County told everyone about an up-coming event called Healthy Adams County Community Health Needs Assessment Forum. Bicky Redman, Adams County Planning office, spoke on recycling topics. They mentioned and talked about the intern program. The Broadband radio system was tested in Gettysburg and it was very successful. Paul Bart spoke about the EMS Regional Services and also, the opportunity to fund the EMA Services

6. East Berlin Joint Authority Report – Ron L. Weidner stated that there’s not much going on right now.

They are making revisions to the By-Laws. The Authority is looking for another member..

7. Finance Committee Report – Stephanie A. Egger stated that no report was received. Next meeting is July 27th.

8. East Berlin Library – Stephanie A. Egger stated that no report was received. She does know that the loan was approved and they are in the process of receiving bids.

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

1. Office Expansion: C. S. Davidson has completed the draft land development plan and submitted it to

the Township for review. The land development plan shows the buildings and utilities that will be demolished, the buildings that are proposed, as well as associated parking lot improvements. The plan also has an improved lot survey. Chad Clabaugh talked about the township decision to break this project into two phases. Chad Clabaugh presented a schedule for the garage as follows: July 6 – Authorize Architect to proceed with amended contract (this was done tonight), August 3 – Authorization to advertise for bids, and Sept. 8 – Award Contract.

2. SALDO: C. S. Davidson issued a letter dated June 16 with 53 comments addressing potential edits to the current SALDO. After the Planning Commission meeting, C. S. Davidson was instructed to proceed with showing these edits in a new SALDO. C. S. Davidson is currently working with Adams County Planning & Development on creation of the new document.

3. Home Road & Protectory Road Bridges: C. S. Davidson could provide additional assistance with posting or closing the bridges or the Township staff could complete the necessary research. At a minimum bridge closed ahead and barricades need to be installed in accordance with PennDot pub 236. C. S. Davidson recommends a more permanent barricade. School, Emergency Services, property owners, Post Office, & trash delivery will all need to be notified.

**Solicitor’s Report** – Ronald Tomasko, Attorney from the firm of JSDC Law Offices presented his report to the Board.

1. Ronald Tomasko asked about Route 94 Motors, they are claiming that they have had an inspection of the rental unit for building code violations. Stephanie A. Egger stated that they checked on this inspection matter and found that no inspection was made at this location.

2. Ronald Tomasko will work on a draft letter to Berwick Township with reference to the NOMA offer.

3. David Lease issues continue. A follow-up hearing is scheduled for July 22nd, at 8:30 am to determine whether Mr. Lease has purged himself of contempt issues.

**Zoning Officer’s Report** – Dale Gettel, PA Municipal Code Alliance

Stephanie A. Egger read the Zoning Officers report. Seven (7) permits were issued in June. Ten (10) current open violations were or are being handled by Dale Gettel.

**MOTION TO PAY THE BILLS:**

Stephanie A. Egger presented the Board with a listing of the June 2015 bills to be approved for: General Fund $35,727.35 and Route 94 Sewer Fund $17,482.67 and State Fund $1,806.60 and Glabview Fund $439.37. 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 COMMENT:**

1. Charles Deatrick, 1360 The Spangler Road, informed the Board of a gun fire incident. His wife was out in backyard when she felt a bullet fly by near her head. Mr. Deatrick asked if the Township had any rules or regulations for shooting. Ronald Tomasko stated that first we have no ordinance, the Township can pass an ordinance, which they are now looking into doing. The Township has to be very careful of the 2nd amendment rights. Ron L. Weidner asked if a firearms ordinance would hold up in court. Ronald Tomasko stated yes and he quoted a specific case. The NRA cannot come in and challenge. If we had an Ordinance the state police would have the responsibility of enforcing.

2. Mike Thomas, East Berlin Fire Co., stated that they will be having a Meeting on 8/18/2015 at 6:30 pm in their Social Hall. Deborah A. Brogan will put notice on the web-site.

3. Ann Harman asked how Mr. Lease is being monitored. Ronald Tomasko stated that we can send Dale Gettel or Tim Wargo to do an inspection before the hearing.

**SUPERVISOR COMMENTS:**

Ron: Had no further comments.

Tim: Tim stated that we had 17.3” of rain in June. The Road Crew has done a great job. Hopes everyone had a nice July 4th weekend. Remember that we need volunteers.

Steph: Informed the residents about the intern that is working for us, he is creating a welcome packet, as well as a newsletter. Thank you for coming and please support the township with this sewer issue.

**Meeting Announcements:**

**Next Parks & Rec Committee Meeting – Tuesday, July 14th @ 7:00 pm**

**Next Planning Commission Meeting – Tuesday, July 21st @ 7:00 pm**

**Next Finance Committee Meeting – Monday, July 27th @ 6:30 pm**

**Board of Supervisors Regular Meeting – Monday, August 3rd @ 7:00 pm**

**ADJOURNMENT:**

Having nothing further to discuss, Ron L. Weidner made a **motion** to adjourn at 9:00 pm. Timothy D. Beard III second the motion. Meeting adjourned at 9:00 pm

Minutes taken and transcribed by:

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Deborah A. Brogan

Secretary Hamilton Township