

*Hamilton Township Board of Supervisors*  
**Regular Meeting Minutes**  
**Monday August 5, 2019**

**CALL TO ORDER:**

The meeting was called to order at 7:00 pm by Stephanie A. Egger.

Supervisors present were: Ronald L. Weidner, Timothy D Beard III, and Michael A Strausbaugh. Also present were: Solicitor, Ronald Tomasko, from the firm of Tomasko and Koranda Law, Parliamentarian Stephanie A. Egger, Secretary, Shelby Jenkins and Road Master Tom Barrows. Absent was Chad Clabaugh P.E. of C.S. Davidson, Inc.

**APPROVAL OF MINUTES:**

Stephanie A. Egger asked if the Supervisors reviewed the minutes from July 1, 2019 regular Meeting. After review of the minutes Michael A Strausbaugh made a motion to accept the minutes as written. Ronald L Weidner second the motion. Motion carried.

**PUBLIC COMMENTS:**

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. Looking for old or new towels, blankets, toys and food.
2. Stephanie A. Egger stated that the Township continues to collect glossy paper magazines and glossy newspaper inserts, etc. for the Ronald McDonald House. Please drop off at the office and we will see that they get to the appropriate place.
3. Bridge Update: Nothing new to report.
4. Notice that an Executive Session was held immediately following the May and June meetings concerning legal matters.

**NEW BUSINESS:**

1. State Police: Stephanie A Egger read the report received from State Police for the month of June. There was a total of 20 service calls, 12 criminal, nine crash, three no response required for a total of 44 calls for the month.

2. Northeast Adams Fire Co. No. 32: Stephanie A Egger read the report received from Northeast Adams Fire Co. 32 for the month of July. There were 34 calls for the month of which one was in Hamilton Township.

3. Northeast Adams EMS Co 32: Stephanie A Egger read the report received from Northeast Adams EMS Co. 32 for the month of June. There were 466 calls for the month of which 11 were in Hamilton Township.

4. United Hook & Ladder Co. No. 33: No Report received.

5. Adams Regional EMS, Inc. Stephanie A. Egger read the report received from Adams Regional EMS for the month of June there were 572 calls of which 13 were in Hamilton Township. Also Stephanie A Egger read the report received from Adams Regional EMS for the month of July, there were 635 calls of which eight were in Hamilton Township

6. Stephanie A. Egger brought to the Board of Supervisors for discussion regarding the speed limit at the Cross Keys intersection. The Township received a letter from Jerry of the Penn Dot Gettysburg District about the crash fatality at the Cross Keys intersection on July 3, 2019. The family of the deceased has requested that the speed limit for the intersection be reduced the speed limit is currently 50 mph. A discussion with the Commander of the State Police Barracks determined that speed was not a factor in the crash. This request was also made to the other two Municipalities that share the intersection, Oxford and Berwick. Ronald asked Stephanie to set up a meeting with the other two Municipalities to discuss this issue. Michael A Strausbaugh asked to try to set the meeting up for an evening. Timothy D Beard III made a motion to having a meeting set up with the other two Municipalities to discuss this issue. Ronald L Weidner second the motion. Motion carried.

7. Stephanie A. Egger presented to the Board of Supervisors review of the winter Municipal services contract. Ronald L Weidner made a motion to accept the contract for the winter Municipal services. Timothy D Beard III second the motion. Motion carried.

8. Stephanie A. Egger presented to the Board of Superiors a Motion to reinvest the three listed trust accounts:

- Unallocated Capital Expense Trust Funds Available: \$132,364 (\$120,000 principal, \$12,364 accumulated income). Timothy D Beard III made a motion to reinvest Unallocated Capital Expense Trust Funds Available: \$132,364 (\$120,000 principal, \$12,364 accumulated income). Ronald L Weidner second the motion. Motion carried.
- Unallocated Funds Trust Funds Available: \$29,165.91(\$24,294 principal, \$4,871.91 accumulated income). Michael A Strausbaugh made a motion to reinvest the Unallocated Funds Trust Funds Available: \$29,165.91(\$24,294 principal, \$4,871.91 accumulated income). Ronald L Weidner second the motion. Motion carried.

- Excess General Checking Trust Funds Available: \$34,614.48 (\$30,000.50 principal, \$4,613.98 accumulated income). Ronald L Weidner made a motion to reinvest the Excess General Checking Trust Funds Available: \$34,614.48 (\$30,000.50 principal, \$4,613.98 accumulated income). Michael A Strausbaugh second the motion. Motion carried.

9. Review and Solicitor comments on Right of Way Acquisition request from Columbia Gas. After a discussion was had if the Township still owned the right of way if NOMA owned this. Ronald L Weidner made a motion to sign the Right of Way Acquisition request from Columbia Gas. Timothy D Beard III second the motion. Motion Carried.

**Other business to come before the Board of Supervisors:**

None

**PLANNING COMMISSION RECOMMENDATIONS AND STATUS OF ACTIVE PLANS:**

1. Stephanie A. Egger presented to the Board of Supervisors a recommendation for approval of the Seibert & Schorner subdivision plan pending the following condition is met. The certificate of ownership, plan acknowledgement and offer of dedication shall be signed by the owner and notarized. (SALDO §120-14.A 17). The plans were present at the meeting for signatures. Ronald L Weidner made a motion to approve the plans for Seibert & Schorner subdivision plan. Timothy D Beard III second the motion. Motion carried.

2. Stephanie A. Egger presented to the Board of Supervisors a recommendation to move forward with approval of the Szewczyk Subdivision Plan pending the following condition is met. A non-building sewage planning note should be added to the plan. The Plans were present at the meeting for signatures. Ronald L Weidner made a motion to approve the plans for Szewczyk Subdivision Plan subdivision plan. Timothy D Beard III second the motion. Motion carried.

3. At the July BOS meeting the Elite Sports Performance plan was given conditional approval provided the conditions set forth were met. To date those requirements have not been met.

1. The revised plan has not been received.
2. The LOC has not been received
3. Signatures will be required on the revised plan.
4. Stormwater Management should be addressed on the revised plans
5. If there are wetlands are they delineated?
6. Has a 15" pipe been installed at the driveway entrance?

Ronald L Weidner made motion to send a letter to Elite Sports Performance indicating that the Conditional Approval will be revoked in 30 days if all the above requirements are not fully met.. Michael A Strausbaugh second the motion. Motion carried.

## COMMITTEE & DEPARTMENT REPORTS:

1. East Berlin Area Community Center (EBACC) – Paul Minnich reported that the community is waiting for an answer back from the borough to accept the new lease agreement.
2. Abbottstown Paradise Joint Sewer Authority – Kevin Moul not present.
3. Parks and Recreation Committee – Ronald L Weidner – Ronald L Weidner reported that the meeting will be canceled for the month of August next meeting set for September 10.
4. Emergency Management: Timothy D Beard III stated no activity for the month.
5. YATB & Tax Board Reports: Timothy D Beard III stated no activity for the month. The next meeting will be held on August 22, 2019
6. Road Master's Report – Tom Barrows read his report
  - Checked roads for seal coating and made repairs to the road edge and potholes.
  - Finished drainage work on Forest Drive.
  - Worked on both roadside mowers such as maintenance and repairs.
  - Put black top over new tile on Old Mill road.
  - Storm clean up and repairs.
7. COG –Stephanie A Egger reported for the month of July from the COG meeting that Cathy Wallen from Representative Eckers office stated that the minimum wage of \$15.00 per hour has passed the Senate and is now in the house. Stephanie also stated that the October meeting will be held at the Conewago Valley new Technical Center on October 24<sup>th</sup> beginning at 8:30 am. Also November 13<sup>th</sup> is the date for the ACATO convention to be held at SAVES, mark your calendars.
8. East Berlin Area Joint Authority- Ronald L Weidner reported everything is working well and there was no meeting for the month of July.
9. East Berlin Library – Brian Campbell not present no report.

**Engineer's Report** – Chad Clabaugh P.E. from C S Davidson Inc. presented the report for the month.

195 Old Mill Road Stormwater Plan Review (2997.5.09.00)

• **Aug. 2019** – CSD received a call on 7-25-19 stating that construction is underway and looking for inspection of infiltration pits before they are covered. CSD retroactively reviewed the plan dated 4-12-19 and plans last revised 5-23-19 and provided a field inspection on 7-21-19. An inspection report is on file. Generally the plan looks ok but CSD does have a few items to follow up with the applicant.

Szewczyk Subdivision (2997.3.19.18)

• **Aug 2019** – CSD reviewed the plan dated 6-12-19 and issued a review letter dated 7-12-19 with 9 comments. The applicant provided a revised plan dated 7-15-19 which addressed 8 of the 9 comments. The plan was recommended for conditional approval by the P.C. at its July meeting with the condition that the non-building sewer planning module be filed.

Seibert Subdivision (2997.3.19.19)

• **Aug. 2019** – CSD reviewed the subdivision plan dated 5-13-19, last revised 7-11-19, and issued a comment letter dated 7-12-19 with 11 comments. A revised plan dated 7-13-19 was provided which addressed 9 of the 11 comments. The plan was recommended for conditional approval by the P.C. at its July meeting with the conditions that the property owner's notarized signature be provided and that the non-building sewer planning module be filed.

Pine Run Park (2997.3.16.11)

• **Aug. 2019** – The applicant was present at the July P.C. meeting to discuss some of the comments provided in CSD's letter. Three of the primary topics of conversation included: incomplete items in phases 1 and 2; discussion on a crosswalk over Pine Run Road; and adequate parking as it relates to street widths. We are currently waiting on a revised plan to be submitted.

Pleasant View Estates Special Exception (2997.3.03.12)

• **Aug. 2019** – On 7-30-19 CSD received a revised plan. CSD will also develop a list of items along with recommendations that are engineering related to attach to a letter that will be sent from the Township to the Zoning Hearing board for consideration at the 9-26-19 meeting.

Elite Sports Performance (2997.3.05.08)

• **Aug. 2019** – The plan was conditionally approved at the July Supervisors meeting with the assumption that a revised plan was eminent. However we have yet to receive a revised plan. It is recommended that the Township provide a deadline to satisfy the conditions. Also it has been noted by the Adams County Conservation Districted that the project has begun. CSD met with Township officials and recommended that they contact the property owner/developer and instruct them to cease progress until a land development plan is approved.

Sheetz (2997.3.19.17)

• **Aug. 2019** – The Township has received a request to release the security for the Sheetz project. In the meantime we've received correspondence from the Conservation District noting deficiencies while reviewing the notice of termination of the NPDES. CSD recommends not releasing the security until the NPDES permit is terminated and until the PennDOT HOP is closed out. CSD will monitor progress on these items and will advise the Township as necessary.

Cedar Ridge Subdivision and Land Development (2997.3.19.10)

• **Aug. 2019** – CSD reviewed a revised plan which proposed a few new design items and which noted that several items aren't complete. CSD issued a review letter dated 8-1-19 which generally approved the new design items but noted that this isn't really an as-built until everything is complete. CSD outlined the items that need to be complete in that letter prior to approval. CSD also reached out to the developer's engineer to determine the status of the revised design calculations for Basin #2 which are a result of the abutting home being built lower than initially planned. They responded that they are working on it and will be submitting soon. Also the developer has not achieved stabilization in the basins prior to the expiration of their NPDES permit so the ACCD has required them to renew their permit for a new 5 year term.

**Solicitor's Report-** Ronald Tomasko ESQ, of Tomasko and Koranda Law.

Ronald Tomasko ESQ presented the board a written report for the month. Working on review of proposed revised Amusement Tax Ordinance. Also worked on review of land development plan "special exception" application as well as legally permissible conditions on the plan. Also reviewed revised proposed ordinance and advised Township Office Manager regarding the same.

**Scott Weaver, Zoning Officer's Report** – Stephanie A. Egger read the report from Pennsylvania Municipal Code Alliance, Inc. For the Month of July. There were seven Zoning permits.

**MOTION TO PAY THE BILLS:**

Stephanie A. Egger presented the Board with a listing of the bills for July to be paid for the General Fund. Ronald L Weidner made a motion to approve the bills as submitted. Timothy D Beard III second the motion. Motion carried.

**PUBLIC COMMENTS:**

Harold Senter asked about burning on 186 gin Club Rd property. Ronald stated the only thing that was ever court ordered was no burning of the outdoor furnace. Harold also asked if there is a noise ordinance. The people that are living in the trailer play their music loud and they also yell at each other all the time out side. Ronald stated we do have a nuisance ordinance from 10 pm to 7 am. Ronald told Harold to call the State police and report to them about the noise.

Kelly Snyder – called the SPCA about the dogs located at David Leases property and how they are being treated by the people renting the trailer. Ronald stated they will check in to this matter and have PMCA follow up on the condition of the trailer.

Ann Harman – Would like to see about a PA system so the older people can hear when coming to meetings it is very frustrating not to be able to hear everything that is going on. Stephanie did get a price on the same system that was used for the senior seminar cost is \$1,500.00. Ronald wants Stephanie to check in to other places. Ann asked about Tim she saw that he sold his place what is to happen to his position as Supervisor. Ronald state that Tim is now a resident of Pine Run Retirement community. Ann also asked why does Scott Weaver not come to the Township meetings. Stephanie stated he refuses to come and is not required to come to the meetings and if he did the Township would have to pay PMCA their hourly rate. Ann asked if she can sit here when the people come in and pay taxes and try to get them to come to more meetings. Ronald does not see a problem with sitting in the hall and talking there.

An executive meeting has been called by the chairman to discuss legal issues following tonight's meeting.

**SUPERVISOR COMMENTS:**

Ron: The development that is being proposed in the Township we are working hard on this matter and not taking things lightly. Thank you all for coming out.

Tim: Glad to be back from my trip to Michigan and have a happy and safe Labor day.

Mike: Thank you all for coming out and he would like to announce with great sadness that Doris Statler had passed away on August 2<sup>nd</sup> she was a mentor to me.

Meeting Announcements:

Board of Supervisors, Monday, September 9, 2019 @ 7 pm **Due to Labor Day Holiday**

Parks and Recreation Board, Tuesday, September 10, 2019 @ 7 pm

Planning Commission, Tuesday, August 20, 2019 @ 7:00 pm

Budget/Finance Workshop Tuesday, August 27, 2019 @ 6:30 pm

Zoning Hearing, Thursday, September 26, 2019 @ 7:00 pm, the hearing will be held at the United Hook & Ladder Co #33 Social Hall located at 21 North Bolton Street, New Oxford, PA  
The hearing has been requested by Burkentine & Sons, Inc for a Special Exception to Ordinance No. 150-56 (S) to allow a townhouse development in a Mixed-Use District.

Adjournment

Having nothing further to discuss, Ronald L Weidner made a motion to adjourn the meeting.  
Timothy D Beard III. Second the motion. Meeting adjourned at 8:35 pm.

Minutes were taken and transcribed by

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Shelby Jenkins

Secretary, Hamilton Township