Hamilton Township Board of Supervisor’s

Regular Meeting Minutes

Monday, September 14, 2015

**CALL TO ORDER:**

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

The Chairman 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 August 3, 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. Update of the NOMA Sewer: NOMA representative had a meeting with Berwick Township presenting an offer to purchase the Berwick Sewer. Berwick stated that they need to do an evaluation of the related expenses of releasing Hamilton Township.

4. Gun Ordinance Update: Attorney Ronald Tomasko drafted a Firearms Ordinance using examples from Reading Twp. & Gettysburg Borough. This draft was reviewed by the State Police and we received their response today. The Board and Planning Commission will review the Ordinance.

**NEW BUSINESS:**

1. State Police: Stephanie A. Egger stated that the report for August 2015 was received. There were 20 incidents in Hamilton Township; 7 criminal, 2 collisions and 11 service calls.

2. Liberty Fire Co. No. 11: Stephanie A. Egger presented the report for August 2015. In August there were 5 EMS calls in Hamilton Township.

3. United Hook & Ladder Co. No. 33: The Chairman presented the report for August 2015. There were 50 incidents, 4 were in Hamilton Township.

4. Adams Regional EMS: Stephanie A. Egger presented the report for the month of August 2015. The ARMS/EMS service had 427 incidents in August 2015; there were 10 in Hamilton Township.

5. Hampton Fire Company: P J Trimmer was present from Hampton. The Chairman presented his report for August 2015. They had 17 incidents, there was one in Hamilton Township.

6. Winter Municipal Services Renewal: Stephanie A. Egger stated that action needs to be taken to approve and sign the PennDot Municipal Winter Agreement for snow removal on Pine Run Road for the period of 2015-16. We are to receive $5,406.04. Ron L. Weidner made a **motion** to sign the agreement as submitted. Timothy D. Beard III second the motion. Motion carried.

7. Letter of Credit/Cross Keys Fellowship Church: Stephanie A. Egger stated that action needs to be taken to accept the Irrevocable Standby Letter of Credit for Cross Keys Fellowship Community Park. Attorney Ronald Tomasko was given a copy to review. Attorney Ronald Tomasko stated that the letter looks like it’s in order, however the date is incorrect. Stephanie A. Egger will have them draft another letter. Timothy D. Beard III made a **motion** to approve the letter with correction. Ron L. Weidner second the motion. Motion passed by unanimous vote.

8. Resolution 2015-60: The Chairman stated that action needs to be taken to approve this Resolution for the Land Development Plan for Cross Keys Community Park’s – Phase 1 Preliminary/Final Land Development Plan. Timothy D. Beard III made a **motion** to approve this resolution. Ron L. Weidner second the motion. Motion passed by unanimous vote.

9. Resolution 2015-61: Stephanie A. Egger stated that action needs to be taken to accept and approve the Minimum Municipal Obligation (MMO) of $6,319.00 for the Trustees of PA Municipalities Retirement Plan through PSATS for the 2016 year. Timothy D. Beard III made a **motion** to accept the MMO. Ron L. Weidner second the motion. Motion passed by unanimous vote.

10. Veterans Director, Stan Clark, will be hosting a Veteran’s Town Hall Meeting on September 30, 2015 from 6:30 to 8:30 pm at the Gettysburg American Legion Post located at 528 E. Middle Street, Gettysburg. Representatives from both the Veterans Administration Medical Center in Lebanon and the VA Regional Office in Philadelphia will be available to answer all questions on all aspects of Veteran’s benefits and services. A notice has been posted on the bulletin board.

11. Hudson Energy: Stephanie A. Egger stated that she wanted to advise the Board that she had to send the first Hudson Energy agreement back for correction. They had the Township listed as an “Authority,” this will be corrected to read “Municipality.”

12. Bridge Projects – Home & Protectory Roads: The Chairman stated that action needs to be taken to approve proceeding with the bid process for the Bridge projects. These should be two (2) separate bids. Ron L. Weidner stated that he feels we should go with the pre-cast culvert. Chad Clabaugh stated that the next step is the permitting, which will cost about $10,000. Chad Clabaugh presented a letter dated 9/14/2015 stating the Scope of services for this project.

After further discussion, Ron L. Weidner made a **motion** to move forward with the Bridge replacement. Timothy D. Beard III second the motion. Motion passed by unanimous vote.

The secretary will send a letter to Paradise Township, our partner in this project, advising them of Hamilton Township’s decision.

13. Parks & Recreation Committee: The Chairman stated that we need to respond to a Memo received from this committee, with a request to earmark the balance of the Parks & Recreation General Funds for the purpose of future matching grants. Virginia Zickafoose stated that the matching grant could be $25 to $50,000. The availability of grants was discussed. Stephanie A. Egger asked Virginia Zickafoose if the Feasibility Study was finished. Virginia Zickafoose stated that it was. Stephanie A. Egger stated that there is $59,793.49 in the Parks & Recreation General fund. Timothy D. Beard III made a **motion** to earmark the Parks & Recreation funds as requested. Ron L. Weidner second the motion. Motion passed by unanimous vote.

14. Parks & Recreation Committee: Stephanie A. Egger stated that we need to respond to a Memo received from this committee requesting approval to send Deborah A. Brogan and Jim Dysart to a DCNR Grant Workshop on November 2nd. There is no charge for the workshop. Ron L. Weidner made a **motion** to approve sending Deborah A. Brogan and Jim Dysart to this workshop. Timothy D. Beard III second the motion. Motion carried.

15. Pennsylvania Municipal Code Alliance, Inc. & PA Dept. of Labor & Industry Audit: The Chairman stated that a request has been received from Pennsylvania Municipal Code Alliance, Inc. conduct an audit of Uniform Construction Code Permitting in our Township. Stephanie A. Egger recommended that we have Wesley Winner work on this audit. Stephanie A. Egger then made that **motion**. Ron L. Weidner second the motion. Motion passed by unanimous vote.

**PUBLIC HEARING**

We will now hold the Public Hearing to discuss the amended Stormwater Management Ordinance. Regular meeting was recessed at 7:15 pm.

This Stormwater Mgmt. Ordinance was originally approved four (4) years ago. Chad Clabaugh gave an explanation of what changes were made. A Simplified Approach was added and clearer language, Chad Clabaugh stated that the ordinance is more streamline.

Stephanie A. Egger stated that the Ordinance was advertised. A copy of the ordinance was given to Attorney Ronald Tomasko for recording purposes.

*Public Comment:*

Virginia Zickafoose asked a question about earth disturbance.

Chad Clabaugh stated that one (1) acre of disturbance has to obtain a NPDES Permit.

The Chairman stated that action needs to be taken to Approve and Adopt the Stormwater Management Ordinance. Timothy D. Beard III made the **motion** to accept and adopt the Stormwater Mgmt. Ordinance as submitted. Ron L. Weidner second the motion. Motion passed by unanimous vote. Attorney Ronald Tomasko will record the Ordinance and send to the Adams County Law Library.

Regular meeting was resumed at 7:20 pm

16. Stephanie A. Egger stated that we received a notice from Matthew Stough, from Adams County Conservation District, that they will be spraying for mosquitos that tested positive in Berwick and Hamilton Townships. Spraying will be done on Wednesday, September 16th. His notice has been posted on the bulletin board.

**PLANNING COMMISSION RECOMMENDATIONS AND STATUS OF**

**ACTIVE PLANS:**

1. The Chairman stated that we have received a memo from the Planning Commission recommending the Board of Supervisors approve Wesley Winner and Pennsylvania Municipal Code Alliance, Inc. look into information to make up standards to cover the CAFO (Concentrated Animal Feeding Operations) farming requirements. Timothy D. Beard III made a **motion** to approve this request.

Stephanie A. Egger asked if the Planning Commission had asked Adams County Planning & Development for this information. They are on retainer so we should get their input. Planning Commission will give this to them at the next Planning Commission meeting. Timothy D. Beard III *withdrew his motion*. Ron L. Weidner made a **motion** to table this request and ask Adams County Planning & Development for input. Timothy D. Beard III second this motion. The secretary will see that this is placed on the next agenda.

2. The Chairman stated that we have received a memo from Planning Commission recommending that the Board of Supervisors grant a waiver for the wetlands screening, as set by our Zoning Ordinance Section 1306, for the Township Garage Expansion Project. Timothy D. Beard III made a **motion** to grant this waiver. Ron L. Weidner second the motion. Motion passed by unanimous vote.

3. Stephanie A. Egger stated that we have received a memo from the Planning Commission recommending that the Board of Supervisors approve the Land Development Plan for the Township Garage Expansion Plan. The following were the lowest bids received:

Ketterman Electrical Services - $24,676.00

W.C. Eshenaur & Sons, Inc. (Mechanical) - $17,500.00

Hanover Building Systems (Pole Bldg.) - $122,166.00

Carl E. Frantz (Plumbing) - $21,352.00

The architect was asked to look into ways to lower the total for this project. Chad Clabaugh suggested that they could cut something small that is not beneficial. Cutting the bathroom is a savings of the $21,352.00. We should have just the rough plumbing put in and then look into other options for the bathroom at a later time.

Virginia Zickafoose asked about the size of the building. Did we look into leasing another building at a different location? Ron L. Weidner stated that the building is 2,400 square feet. He also stated that we did not look into leasing.

Mike Strausbaugh asked which company bid the heating. Did we receive a bid from Morton Building? Ron L. Weidner stated that Ketterman Electrical would do the heating. Chad Clabaugh stated that the bid was advertised and we did not receive a bid from Morton Building.

Ron L. Weidner stated that the garage will be heated so that the trucks can be heated and cleaned inside rather than outside in the snow. It will also be easier to do any needed repairs inside.

Ann Harman stated that all of this will save money in the long run.

Mike Strausbaugh asked if they can finish this for this winter. Ron L. Weidner stated that this condition was part of the bid process.

Brian Campbell stated that this project is financially set, there will be no loans. Ron L. Weidner stated that here will be no tax increase.

Change orders were discussed. Stephanie A. Egger stated that it was discussed that there are fees for any change orders.

Ron L. Weidner made a **motion** to award Hanover Bldg. Systems the general construction bid.

Timothy D. Beard III second the motion. Motion carried.

Ron L. Weidner made a **motion** to award Ketterman Electrical the electrical bid. Timothy D. Beard III second the bid. Motion carried.

Ron L. Weidner made a **motion** to award the bid for mechanical construction to W C Eshenaur & Sons. Timothy D. Beard III second the motion. Motion carried.

Ron L. Weidner made a **motion** to reject the plumbing bid from Carl E Frantz. Timothy D. Beard III second the motion. Motion carried.

Ron L. Weidner made a **motion** to approve the Land Development Plan for the Township Garage Expansion Plan. Timothy D. Beard III second the motion. Motion passed by unanimous vote.

**COMMITTEE & DEPARTMENT REPORTS:**

1. East Berlin Area Community Center (EBACC) No representative was present, no report was received.

2. Abbottstown Paradise Joint Sewer Authority – No representative was present, no report was received.

3. Parks and Recreation Board – Virginia Zickafoose stated that the Feasibility Study is finished. The members will now begin sending letters to the property owners to get guidance and suggestions from them as to how they would like to see us proceed. Virginia Zickafoose stated that she would like to see more people on the Committee.

4. Emergency Management: Timothy D. Beard III stated that the towers are up; radio training is beginning.

5. York Adams Tax Bureau: Timothy D. Beard III stated that the budget has been approved.

6. Adams County Tax Collection Committee: Timothy D. Beard III stated that the monthly meeting was cancelled.

7. Road Master’s Report – Jay Livingston, Road Master, stated that they continue to have meetings with Paradise Twp. in reference to the bridge replacements. They are going to look into getting grant money from the Dirt & Gravel Roads project. They have some patching to do, mowing and putting signs up. They have done some excavating for the new garage.

Mike Strausbaugh asked about the bridge costs. Ron L. Weidner stated that we have the funds in our Liquid Fuels/State funds to cover this replacement.

8. COG Report – Jay Livingston stated that at the COG meeting the West Nile, Deer Ticks and Lime disease issues were discussed. They also talked about the spraying schedule.

9. East Berlin Joint Authority Report – Ron L. Weidner Stated that all is running smoothly. Susquehanna River Association requirements have been answered. NOMA and York Water are both interested in leasing the sewer system. They are in the process of setting up talks.

10. Finance Committee Report – Brian Campbell stated that they had a meeting last month and they are beginning to work on the 2016 budget.

11. East Berlin Library – “What’s Happening” Newsletter has been received listing events for

Sept., Oct. and Nov. The Newsletter has been posted on the bulletin board. Brian Campbell stated that they had the groundbreaking on 9/2/2015 and plan to have the new Library completed on 6/30/2016.

**Engineer’s Report** – Chad Clabaugh; Township Engineer, from C.S. Davidson, stated that he had no report for this month.

**Solicitor’s Report** – Attorney Ronald Tomasko, from JSDC Law Offices, presented his report. Ronald Tomasko gave an update of the cases with David Lease. 1. Regarding rental units: Mr. Lease to reimburse the Township $17,000 in attorney’s fees and costs. Lease counsel has filed a response to that motion. Solicitor’s office will file a response accordingly. Judge Kuhn has scheduled a hearing for 10/9/2015. 2. Mr. Lease sewer issues and appeal: The rescheduled property site inspection for 10/2/2015 at 1:00 pm was scheduled by the court. If Mr. Lease has not purged himself of contempt, then he faces incarceration and monetary penalties.

Attorney Ronald Tomasko continues to work on municipal liens.

**Zoning Officer’s Report** – PA Municipal Code Alliance: Stephanie A. Egger presented the report from Wesley Winner. There were ten (10) permits issued and seven (7) violations.

**MOTION TO PAY THE BILLS:**

Stephanie A. Egger presented the Board with a listing of the August 2015 bills to be approved for: General Fund $99,940.19 and Route 94 Sewer Fund $32,680.24. 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:** None

**SUPERVISOR COMMENTS:**

**Ron:** Thank you for coming. Hope everyone had a nice Labor Day weekend.

**Tim:** Wants to stress the importance of volunteering to prevent the hiring of people to work only a few hours a week. P J Trimmer stated that the fire companies have needs for volunteers for functions during the year.

**Steph:** Please look for our new Newsletter on our website. We will have an ad in the Gettysburg Times next week. You may also pick-up a copy here in the Township Office.

**Meeting Announcements:**

**Next Parks & Rec Committee Meeting – Tuesday, October 13th @ 7:00 pm**

**Next Planning Commission Meeting – Tuesday, September15th @ 7:00 pm**

**Next Finance Committee Meeting – Tuesday, September 22nd @ 6:30 pm**

**Board of Supervisors Regular Meeting – Monday, October 5th @ 7:00 pm**

**Adjournment**

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

Minutes taken and transcribed by:

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Deborah A. Brogan

Secretary Hamilton Township