

Hamilton Township Board of Supervisors
Regular Meeting Minutes
June 5, 2023

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, Jeremy P. Smith, Michael A. Strausbaugh. Also present were Parliamentarian Stephanie A. Egger, Assistant Secretary Hannelore Furst, and Chad Clabaugh P.E., of C.S. Davidson.

Absent: Melissa Kelso, ESQ, from the Firm Kelso Law LLC., and Roadmaster Don Blackburn.

APPROVAL OF AGENDA PER ACT 65: Stephanie Egger provided the agenda to the Board of Supervisors. *A motion was made by Michael A. Strausbaugh to approve the agenda as presented with a second by Ronald L. Weidner. Motion was unanimously approved.*

APPROVAL OF MINUTES:

Minutes of the regular scheduled meeting of May 1, 2023, were presented.

Upon review of the minutes of May 1, 2023, regular meeting, a motion was made by Jeremy P. Smith to approve them with a second by Ronald L. Weidner. 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 food, towels, blankets, toys, etc. in good condition.
2. Beaver Creek Road Bridge-Rehabilitation update: Bridge is closed until further notice. Mandated by the state. Will discuss later in the meeting.

NEW BUSINESS:

1. State Police: Stephanie Egger read the report for the month of April, there were a total of 51 incidents with six criminals, seven crashes, 38 service, and zero no responses. For the month of May, there were a total of 63 incidents with six criminal, eight crashes, 47 service, and two no responses.
2. Northeast Adams Co. #32-Fire: Stephanie Egger read the reports for the month of April, there were a total of 45 calls with zero in Hamilton Twp. For the month of May, there were a total of 30 calls with zero in Hamilton Twp.
3. United Hook & Ladder Co. No. 33: Stephanie Egger read the report for the month of April, there were 81 incidents with 5 in Hamilton Twp.
4. Adams Regional EMS: Stephanie Egger read the reports for the month of March, there were 5 incidents and 7 incidents in April.
5. Amber Topper of Kuhn Fording Road addressed the Board of Supervisors with her concern about traffic safety at the intersection of Pine Run Road and Kuhn Fording. She thinks the traffic on Pine Run Road is too fast, she suggested the speed limit be changed or a flashing speed limit sign be placed there. Ron Weidner said he would check if the speed limit signs were blocked with weeds, and make sure they are cleared. Chad suggested she contact PennDot District 8 since Pine Run Road is a state road. She is concerned about her child when she is dropped off after school. It was suggested she also contact the traffic coordinator at Conewago School District.
6. Chad Clabaugh P.E., of C.S. Davidson, provided a report on the Beaver Creek Road Bridge

CSD has been asked to pause design in light of design/build estimates requested by Paradise Township through the Keystone Purchasing Network (KPN) and was asked to submit design documentation completed to date to Lobar. CSD had significant concerns with this request and advised Hamilton that prior to the Township making any decisions to change gears this far into the design process, a meeting should be held with Lobar (who has the state contract), to discuss the many discrepancies between their proposal and CSD's design. There are 3 Suggestions:

- 1. Fulfill the request from Paradise, Accept Lobar's Design Build proposal in which case the township would forfeit a lot of the completed engineering expenditures and pay to have it re-designed. Choosing this option would also be disregarding the many overages that will be seen during construction which are listed on the attached list. It is assumed the township will not choose this option but if it does then license agreements will need to be put into plan for the transfer of the design documents. Even Lobar suggested against this path now that they understand the situation better.
- 2. CSD completes the design and permitting phases of their proposal but not the bidding phase. CSD prepares a contract drawing set of plans and technical specifications but not bidding specifications or contract specifications. This set would be submitted to Lobar to get a new estimate that is consistent with CSD's design. After a new estimate is obtained then the Township can determine if it wants to continue down the KPN path or revert back to the original plan for design, bid, build.
- 3. Discontinue the KPN path with Lobar all together and go back to the original plan.

Chad suggested of the three solutions, he suggests #2 or #3 of the above.

The following were the concerns of CS Davidson's Traffic Engineer that were discussed at the Beaver Creek Road Bridge Coordination Meeting with Lobar. They need to be carefully reviewed by the Township prior to deciding on next steps.

1. CSD's design is for 24" x 48" spread box beams. Unless we revise our design to adjacent box beams is there any reason to provide our design information? **Providing our design to them would be worthless if they continued with adjacent box beams as they proposed. Essentially the Townships would pay for design twice. They would be willing to change the spread box beams to be consistent with our design which are a little cheaper.**
2. CSD's design included removal and replacing the top two feet of the abutment. This removal and replacement are performed on every superstructure replacement project that I am aware of to avoid the potential of setting the beams on deteriorated concrete. I did not see that work included in the DB proposal. **They were not replacing the top 2' of abutment and it wasn't in their estimate. They agreed this should be done and will adjust their cost. About \$13k**
3. Is Lobar planning to submit and obtain a DEP permit? **DEP permitting is in their engineering cost. They will exclude this in the future if the Township sticks with CSD.**
4. Does the DEP prioritize permit review for projects bid through the state contracting system? **There is nothing they do that is different or would expedite the review. It will take the same amount of time. They were hoping for an emergency permit from DEP but DEP will probably not approve that path so they would need to follow the same timeline as us with a typical GP 11. Their start date of 10/31 is subject to change.**
5. Is construction inspection and contract administration provided through the state contracting system? **It is not. It is also not currently in CSD's scope, it was just in an e-mail so if the Townships want this, they will need a separate contract.**
6. Are they planning to obtain signed temporary construction easement and/or permanent right of way from property owners? **No, they did not include this. They didn't think they needed one, but we advised them that they do.**
7. We understand that you informed the Township that the superstructure replacement will provide a 75-year service life. Since the substructure is being repaired but not replaced, we felt a 50-year service life is more realistic. **They agreed.**
8. Are they planning to provide plans sealed by PE with bridge ratings? **This is a moot point if they go with our design.**
9. 4000 psi concrete instead of AAAP concrete, 4500 psi, for deck. **Same Concrete just not with PennDOT certs – Do townships want certifications for concrete and beams? \$7k to \$10k to add this level of QA/QC – Daryl will double check with Municipal Services**
10. Their proposal includes a screed finish. Our design included mechanical texturing with sawed grooves. The sawed grooves is current practice by PennDOT. **Since no PennDOT approval CSD will change screed finish to save about \$4k. This will lower CSD construction estimate.**

11. Can't determine exactly what they proposed in terms of bridge barrier/Guidrails/walls but it's clear that what they proposed is not the same as CSD's design. **They agreed it's different and will affect the cost.**
12. CSD design includes 292 SY of paving. DB proposal includes 40 SY of paving. **The limits of paving will need to be reviewed. This equates to almost \$14k difference.**
13. Does Lobar proposal include utility coordination? **No, their proposal did not include this effort although after discussion with the communication utility present this shouldn't be a heavy lift either way.**
14. I'm familiar with Lobar but not Gordian. Please give me a quick/simple overview of Gordian's role. **Gordian owns R.S. Means. They average construction costs.**
15. Did they include any performance or payment bonds? **Don't need performance and payment bonds? No, they didn't think they needed this through the KPN.**
16. CSD's cost estimate is \$520,407.00 including 5% contingency. It has not been checked. The DB proposal amount is \$531,900.00 including \$42,550.00 for design. **Both are subject to change due to this discussion.**

There was a brief discussion following Chad's comments in red above. Chad recommends that Hamilton Twp. go with solution #2, Get the design done and permits submitted. Ron stated he thinks Logan (CSD) and Lance (Paradise Twp) should get together to discuss the project. *A motion was made by Ronald L. Weidner and a second by Jeremy P. Smith to go with engineer's recommendation of option #2 on the engineer's report contingent on confirmation with Paradise Township. The motion was unanimously approved.*

PLANNING COMMISSION RECOMMENDATIONS FOR ACTION AND/OR STATUS OF REPORTS

OF ACTIVE PLANS: Stephanie Egger read the Planning Commission's recommendation; that Ordinance Section §150-98.DD be sent to ACOPD for review and that Ordinance Section §150-98. HH be deleted and forward to Adams County Planning and Development for approval and to advertise for adoption. *A motion was made by Jeremy P. Smith to accept the recommendation of the Planning Commission with a second by Ronald L. Weidner. Motion was unanimously approved.*

COMMITTEE & DEPARTMENT REPORTS:

1. East Berlin Area Community Center (EBACC): No representative present. No report.
2. Abbottstown Paradise Joint Sewer Authority: No representative present. No report.
3. Emergency Management: No report.
4. YATB Tax Board Report: Next meeting July 31, 2023.
5. ACTCC Tax Board Report: No report.
6. Roadmaster's Report: Ron reported for Don Blackburn; they were working on Old Mill Road, took care of the bumps on Forest Drive and Locust Lane, and they continue to mow.
7. COG: No report.
8. East Berlin Area Joint Authority: No report.

Engineer's Report: Chad Clabaugh, P.E. of C.S. Davidson presented his May Report

1. SUBDIVISION, LAND DEVELOPMENTS and STORMWATER PLAN REVIEW:

DJ Homes Subdivision-The subdivision plan was accepted for review at the May Planning Commission meeting. CSD provided a review letter on May 31, 2023.

Pennwood Products Development-A concept plan and traffic impact study scope application was submitted which is under review. This plan proposes industrial development across from the Weis Mkt and Cashman's near East Berlin. CS Davidson can handle this one. The next three are a little beyond what CS Davidson has capacity for and is recommending a traffic consultant-Transportation Resource Group, Inc. (TRG), at no cost to the Township, the developers will be paying for this.

New Oxford Logistics-submitted a concept plan and a traffic impact study scope application for consideration by the Township and PennDOT. The plan shows a significant amount of commercial and industrial development will significantly impact traffic at the Cross Keys Intersection. Due to this plan, along with the Royal Farms, and an anticipated Pine Run 1, LLC housing development being proposed just north of the Cross Keys

Intersection, CSD will be pulling in a sub-consultant Transportation Resource Group, Inc. (TRG) to assist with the traffic reviews at the Cross Keys Intersection.

Pine Run 1, LLC. -A concept plan was provided just to get information on the scope of the traffic impact study. CSD provided a response identifying which intersections need to be studied and confirmed the suggestion with Township Staff. We anticipate a few months before the scoping study is submitted. CSD will be pulling on TRG to assist with this review as well.

Royal Farms-the traffic impact review has been delayed due to the New Oxford Logistics submittal. CSD will be pulling on TRG to assist with this review as well.

K-Hill, Kaiser, Summers Subdivision-A revised plan has been submitted dated 5-16-2023 which is under review. CSD will provide comments for consideration at the June Planning Commission meeting.

2. LAND DEVELOPMENTS and STORMWATER PLANS UNDER CONSTRUCTION:

A Security Tracking Sheet was provided showing the five developments that the township still has money in escrow. There was a discussion about Sheetz not requesting the \$7,598.80 that Hamilton Twp. is still holding in escrow. Chad mentioned that Sheetz has been contacted several times about this and nothing has been done. The Old Mill Wedding Venue also has \$25,786.20 in escrow, but they are waiting for the termination of the NPDES permit. *A motion was made by Michael A. Strausbaugh to release the financial security associated with Sheetz land development, contingent on authorization from township engineer and confirmation with the creditor, with a second by Ronald L. Weidner. Motion was unanimously approved.*

Solicitors Report: Melissa Kelso, Esq. was absent, but a copy of her report was provided.

Zoning Officer's Report: A written report was provided by Jim Staub. Stephanie Egger read his report-there were no violations for the month of May. One door hanger was placed at 66 Hamilton Drive for not having a permit to expand the driveway, there were three U&O's & final inspections at 1004 Rt 194 North; 787 Pine Run Rd; and 356 Crystal Creek Crossing, and an exemption letter for 228 Cottage Drive was drafted. Mike mentioned that he really likes the zoning officers report, and to tell him his report is really good.

MOTION TO PAY THE BILLS: *Motion to pay the bills for the General Fund was made by Michael A. Strausbaugh with a second by Ronald L. Weidner. The motion was approved unanimously.*

PUBLIC COMMENTS: Donna Vasek questioned Chad on what kind of warehousing would be going in if the property was sold? Chad stated they are trying to find out who the developer is. She stated we are already having problems with Cross Keys and the traffic. She was told Torren Ecker is looking into who the developer is, because of traffic concerns. Mel Lebo mentioned that there are developers who buy up land and build a shell on the property and then rent or sell the property.

COMMENTS from Board of Supervisors:

Ron: Thank you to everyone that came out. See you next month.

Jeremy: Thank you to everyone that came out.

Mike: Thank you to everyone that came out. Mike mentioned the township should probably consider fireworks ban.

Mel Lebo questioned if the Park & Rec Board is meeting again. He was told no. He said he was told differently by a resident. Apparently, the resident is gathering signatures to bring the rail trail to Pine Run Road. There was a brief discussion on whether the landowners would allow the trail through their property.

Meeting Announcements:

Board of Supervisors, Regular meeting: Monday, July 3, 2023 @ 7 PM.

Planning Commission: Tuesday, June 20, 2023 @ 7 PM.

Budget Meeting: July 25, 2023 @ 7PM.

Approved 7/3/2023.

Adjournment:

Having nothing further to discuss, *Motion to adjourn was made at 8:25 PM by Ronald L. Weidner and second by Jeremy P. Smith. **The vote was unanimous to adjourn.***

Minutes were recorded and transcribed by

Hannelore Furst

Assistant Secretary