

CONEWAGO TOWNSHIP BOARD OF SUPERVISORS
SEPTEMBER 7, 2010

The meeting of the Board of Supervisors was held at the Township Municipal Building. The meeting was called to order by the Chairperson, at 7:00 P. M. Those in attendance were Robert Hahn (Chairman), Lois Leonard (Vice-Chairperson), Lorreta Wilhide (Supervisor), Timothy Bupp (Solicitor), Terry Myers (Engineer) and Lou Anne Bostic, (Secretary).

Pledge of Allegiance:

PRESENTATION OF RESOLUTION OF RESPECT FOR MILITARY SERVICE

- Tsgt Laura Nieves
- SMSgt Robert F Barney

Neither party was present. The township will see that they receive the framed document.

RECOGNITION OF PUBLIC REQUESTS:

- Alex Finn, 55 Clary Way. Paul Finn explained that his son would like to install 5, 20' flag poles representing each branch of the military. The project would be part of his Eagle Scout project and would be done at no cost to the township. The project should be completed by Spring, 2011.

Ms Wilhide would like to have the Recreation Board's idea for placement of the project.

Motion by Ms Leonard, second by Ms Wilhide, unanimously carried, to permit Alex Finn to complete the above project.

- Mr. Hahn swore in Special Fire Police Officer, Larry Warner.

-Charlie Eckenrode, 70 Hykes Mill Road, informed the board that he is upset with the road construction work in his area. He feels that the work is being done too slow and will affect his business operation. The Chairman explained that the work is scheduled to be completed by September 30th., with the exception of the Hykes Mill Road closure. PennDOT is working on the section from the Trail to Hill-N-Dale Road, and the road will be closed for 60 days. Mr. Eckenrode asked for better detour signage, and was given the contact phone number for the PennDOT contractor.

-Pat McCoy, 4490 Susquehanna Trail, asked the Chairman if this meeting is being recorded. Mr. Hahn informed her that the meeting is being recorded.

-Jake Perry, 460 Old Stone Way, asked the board if the Zion View Athletic Association can grade Field #1 to prepare for 300' of fencing. The project will be funded by the athletic association.

Motion by Ms Leonard, second by Ms Wilhide, unanimously carried, to allow the association to make the improvements at their cost. Mr. Hahn requested a sketch plan of the proposed work.

-Mr. Hahn asked if the new speaker placement helps the audience hear better and they answered yes it did improve the sound.

Approval of Agenda: Motion by Ms Leonard, second by Ms Wilhide, unanimously carried, to approve the agenda as prepared.

Approval of August 3, 2010 minutes. Mr. Hahn had requested the original minutes provided to the board be changed with regard to flagging training and the return of the senior day activity supplies. Ms Leonard stated that she will not approve the minutes as presented. The audio recorder was not working at the meeting. Motion by Ms Leonard, second by Mr. Hahn, unanimously carried, to approve the minutes with the flagging training and senior day activity supply return being changed to the first minute copy wording.

Mr. Hahn asked Ms McCoy when she plans to return the supplies. Ms McCoy stated that she will come back to the office to look at all receipts before she returns the items. Mr. Hahn informed Ms Bostic to pull and copy all senior day receipts. Ms McCoy informed the board that she only needs the receipts from August 2008 to December 2008.

PUBLIC HEARING:

-ORDINANCE #328, an ordinance to amend Ordinance #320, to provide for billing, collections and payment procedures related to the collection of municipal waste.

Public comments- Sharon Beck, 1605 Copenhaffer Road, asked if this ordinance requires the township to bill the customers. Mr. Hahn explained that this ordinance gives Penn Waste the authority to collect delinquent accounts only.

Board comments - None.

Comment period was closed.

Motion by Ms Wilhide, second by Ms Leonard, unanimously carried, to adopt Ordinance #328.

-ORDINANCE #329, an ordinance to repeal the "No-Parking" designations on portions of several streets located in the Bennett Run Development. (Ordinance #297)

Public comments- Dave Speck, 60 Trevor Road, asked where the ordinance was advertised.

Mr. Hahn informed him that it was advertised in the newspaper and on the township's web page.

-Wayne Nelson, 140 Thomas Drive, stated that he thinks removing the signs will be a problem on Thomas Drive.

-Resident at 90 Trevor Road asked when the board will vote on the ordinance. The chairman explained that the board intends to take action at the close of the public hearing.

-Dave Speck, 60 Trevor Road, asked why the signs re-appeared in the first place.

Board comments - Ms Wilhide stated that the signs were removed by a prior board, all traffic studies, the township solicitor and York County Planning have stated that the signs are needed, but this board is removing the signs. She informed the board that a recent fire in the development caused trouble for the fire company trucks, because of the cars parked on the road.

-Paul Finn, 55 Clary Way, stated the history of the signs: petitions signed by residents, traffic study results that he personally disproved, no prior fire company or snow operation problems were noted when the signs were previously removed. He also stated that the Bennett Run Development is the only development located in Conewago Township that has no parking restrictions. -Wayne Nelson, 140 Thomas Drive, stated that there were problems with snow operations.

-Resident at 325 Fisher Drive stated that "No Parking" signs were ever located in the area of the recent fire.

Comment period was closed.

Motion by Ms Leonard, second by Mr. Hahn, motion carried to adopt Ordinance #329.

Vote: Leonard-aye Hahn-aye. Wilhide-nay

Ms Wilhide opposed the ordinance and stated that until 51% of the entire township population is affected she will not vote in favor of an ordinance.

PLANNING & ZONING:

-Brian Klinger/Spring Valley Mulch - Revised Final Land Development Plan, was presented by Mr. Klinger and Jerry Stahlman. Mr. Stahlman explained that this saw mill operation was allowed by a special exception that was granted previously. The plan presented is to modify the original land development plan by adding an additional building to hold animal bedding material, protecting it from the weather, and adding a smaller storage building to work on the equipment under roof. Stormwater will be retained in the existing basin after a slight enlargement is completed to the basin. Mr. Myers reviewed the storm water comments with the applicants.

Mr. Hahn would like to table the plan until the township receives notification from the York County Conservation District regarding a violation that existed on the property. Mr. Hahn also stated that the property is incorrectly assessed by the county and they are working on correcting the mistake. Mr. Klinger stated that the property assessment is not a concern for the land development plan. He informed Mr. Hahn that he feels that he should have contacted him if he has concerns. Mr. Klinger and Mr. Stahlman are asking the board for conditional approval. Mr. Klinger said that both the DEP and York County Conservation have been to his property numerous times and have not voiced any concerns to him. Mr. Myers explained that this plan does not propose any additional traffic. The Millcreek Road and Canal Road intersection are not presenting a problem that Mr. Klinger is aware of, he stated that he has been in operation for 7 years and not 1 accident has happened. Mr. Hilbert, 2275 Millcreek Road, complained about the road at his property. Ms Wilhide informed the board that she has been contacted by several people stating that no change in the intersection is necessary.

Motion by Ms Wilhide, second by Ms Leonard, motion carried, to approve the plan with the following conditions:

1. A letter from Met-Ed stating that no right of way problem exists.
2. York County Conservation District approval of the E&S Plan.
3. Notice of violation correction from York County Conversation District.

Vote: Wilhide-aye, Leonard-aye, Hahn-nay.

-Sheila Chesslock, wavier request of Section 406.a of the Conewago Township SALDO.

Bill Davis from Site Design Concepts presented the waiver request relating to drawing scale.

Motion by Ms Leonard, second by Ms Wilhide, unanimously carried, to approve the waiver request.

-Sheila Chesslock, Subdivision Plan. Bill Davis presented the plan that proposes to take 4 lots and join them together to create 1 lot. The developer is not proposing to dedicate any additional right of way for the Susquehanna Trail. The township solicitor informed the board that this is okay. No road impact is proposed. Motion by Ms Wilhide, second by Ms Leonard, unanimously carried, to approve the Sheila Chesslock Subdivision Plan.

-Brenda Shaffer, Subdivision Plan. Bill Davis from Site Design Concepts presented the 4 lot plan to the board. All comments have been addressed. Ms Shaffer is responsible for the payment of recreation fees for the two new lots being created. Motion by Ms Leonard, second by Ms Wilhide, unanimously carried, to approve the plan with the following condition:

1. Recreation fees be paid to township prior to recording plan.

-Mr. Hahn commented that other agencies, other than the township, have looked at the Spring Valley Mulch operation as a commercial operation. He feels that the township designated the operation as a saw mill operation and claimed it is an agricultural use. He cannot find a definition for a saw mill operation in the township ordinance and the definition in the dictionary of a sawmill

is not what Mr. Klinger is doing.

REPORTS:

The following reports were distributed to the Supervisors:

Treasurer's Report, Fuel Usage Report, Police Report, Road Report, Sewer Report, and the Building Permit Report.

-Ms Leonard, questioned the \$3,000.00 bill for the employee handbook, the township was quoted a price of \$2,000.00. Attorney Bupp will check into this. Mr. Hahn would like the report to include a breakdown of the liability accounts. Motion by Ms Leonard to approve the report with a refund check in the amount of \$1,000.00 from the law firm, second by Ms Wilhide, unanimously carried.

-Motion by Ms Leonard, second by Ms Wilhide, unanimously carried, to approve the police report.

-Mr. Hahn asked why the sewer reports are not as comprehensive as in the past. Ms Leonard explained that the supervisors receive the same reports as the authority. Mr. Hahn questioned the notice in the township newsletter from the sewer authority that states the authority can have public water turned off for non-payment of sewer bills. Mr. Hahn is concerned that this will cause a health hazard. Ms Leonard explained that ample notice is given before action is taken. This action has helped with the authority's collection of delinquent accounts. Motion by Ms Leonard, second by Ms Wilhide, unanimously carried, to approve the Sewer Authority Report.

Motion by Ms Leonard, second by Ms Wilhide, unanimously carried, to approve the Road Report.

Motion by Ms Leonard, second by Ms Wilhide, unanimously carried, to approve the Fuel Report.

Motion by Ms Wilhide, second by Ms Leonard, unanimously carried, to approve the Building Permit Report. Ms Leonard has requested that the township provide a copy of this report to Carolyn at the Sewer Authority monthly.

SOLICITOR'S REPORT: (Copy attached)

- Attorney Bupp reminded the board that the trash collection ordinance advertisement costs should be billed to Penn Waste.

- Resolution 2010-11 to adopt Jewel Drive and Nolan Drive, within the Bennett Run/Alvin Fisher Development. Motion by Ms Wilhide, second by Ms Leonard, unanimously carried to adopt Resolution 2010-11.

ENGINEER'S REPORT: (Copy attached)

-The engineer presented an application for payment #1 in the amount of \$125,423.46 payable to Shiloh Paving and Excavation, Inc. The base repair work and wearing courses on Vida Lane and Butter Road and the binder course on Jug Road are completed and included in this request.

-The engineer presented an application for payment #1 in the amount of \$15,472.97 payable to Stewart and Tate, Inc. The double application of bituminous seal coat on Witmer Road is complete and included in this request.

-Charlie Eckenrode, 70 Hykes Mill Road stated that he is upset because the road projects will hurt his commercial operation. He is also upset about the gutter grading along the road. He feels that the township does not care about the residents. Motion by Mr. Hahn, second by Ms Leonard, unanimously carried, to approve both applications for payment.

-Mr. Hahn voiced concern regarding the road edges. The township roadcrew will install stones in

the gutter where necessary.

-George Herman, 950 E. Butter Road, commented on the good job on the roads.

-Mr. Hahn, 460 Jug Road, commented on the good job on the roads.

- Mr. Myers informed the board that the sealed bids have been opened for the CDBG, Big Conewago Avenue project. Fitz & Smith, Inc. is the low bidder at \$153,967.25. The township will furnish the aggregate for the project at an approximate cost of \$7,200.00 bringing the total project cost to \$161,167.25. The engineer informed the board that during the resident's meeting the request to install speed humps was presented. The cost to install the humps would total \$5,512.00. The Board is not in favor of installing speed humps.

-Jug Road drainage. Mr. Myers presented information on the two culverts located on Jug Road. (See written report) Mr. Hahn voiced stormwater concerns at the second culvert on Jug Road. The engineer provided information to replace the existing culvert, to meet the 25 year storm calculations) with a concrete box culvert at an approximate cost of \$80,000.00. Mr. Hahn also has concerns about additional drainage on the east side of culvert #2. He presented pictures of the problem to the engineer and the board.

The engineer proposes to add two inlets and approximately 100' of 15" diameter pipe, township installed, at the approximate cost of \$4,000.00.

-Philip Figdore, 475 Jug Road, stated that the property on the east side belongs to him and he has concerns with further erosion in the channel on his property. He would like to meet with the engineer to discuss his concerns.

-Ms Wilhide asked the engineer for prices for the centrifugal liner option for both culverts.

Mr. Myers informed her that culvert #1 would cost approximately \$15,000.00 and culvert #2 would cost approximately \$20,000.00.

-Greenbriar Estates bond reduction request was presented to the township manager.

-Mr. Myers presented a Highway Occupancy Permit application for the board to sign. The permit involves the signalization of the Canal Road and Susquehanna Trail intersection. The board discussed the intersection improvements with the developer and the engineer. The board would like to review the application and address concerns they have. No action was taken. The manager was notified to contact Bible Baptist Church regarding the intersection improvements.

UNFINISHED BUSINESS:

-Energy Audit-pending.

-Motor vehicle crash study for the following intersection was presented to the board.

1- Lewisberry Road and Canal Road intersection

2. Lewisberry Road and Butter Road intersection.

-Flagger training - Motion by Ms Leonard, second by Mr. Hahn, motion carried, to authorize Stephenson Equipment train the roadcrew at a cost of \$35.00 per person.

-Sign Inventory Management Program. The manager informed the board that the roadmaster and the manager have reviewed the suggested format for sign inventory. The computer database system can be adapted to the township's needs. Mr. Hahn has instructed the roadcrew to start the sign inventory management program.

-Ordinance #326, an ordinance to repeal the weight limit on Millcreek Road. The board is not in favor.

NEW BUSINESS:

-Trick or Treat has been scheduled for October 31st., from 6 to 8 p.m.

-Mr. Hahn commented on the good job that Kim did on the township newsletter.

-Pesticide applicator certification - tabled.

-Mr. Hahn would like signs posted, on the Susquehanna Trail, at I83, and on Cloverleaf Road, to direct truck traffic to ES3 and the Greenspring Industrial Park locations. The expense of the signs should be paid by the companies.

-RAP storage agreement. The manager presented an agreement to the board to store millings on the fire company's property for use on the Big Conewago Avenue project. Ms Bostic informed the board that the millings are already on the property. Mr. Hahn has a problem with the agreement and feels that the agreement is in favor of the fire company. He stated that the township has always tried to work with the fire company. Mr. Hahn informed Lou Anne Bostic and Terry Myers, that the millings should not have been stored on the property until the agreement was finalized. He does not want the manager or engineer approving anything again before the board approves it. Motion by Ms Wilhide, second by Mr. Hahn, motion carried, to authorize the agreement for the RAP storage. Ms Leonard stated that she is neutral and did not cast a vote.

-Meeting room audio system update. Pending

-Employee manual updates:

1. Motion by Mr. Hahn, second by Ms. Leonard, motion carried, to correct the 1st. Paragraph on page 14 regarding time off counting towards total number of hours worked for the week. Ms Wilhide stated that she is neutral and did not cast a vote.

2. Motion by Ms Leonard, second by Ms Wilhide, unanimously carried, to correct the 2nd. sentence in the Holidays section referring to vacation extension.

3. Motion by Ms Leonard, second by Mr. Hahn, motion carried, to correct the last section under VACATION referring to employment termination. Ms Wilhide voted in opposition. She does not feel that this is legal.

-Employee job descriptions. Ms Wilhide presented the board with descriptions. Mr. Hahn would like her to prepare a job description for a vehicle maintenance position. The board will review the information.

-Mr. Hahn has asked the supervisors to begin reviewing all township ordinances. The manager provided the following for their review: 2-63,101,102,103& 105. This matter was tabled.

-Recreation Board appointments. Mr. Hahn informed the board that he met with the Conewago Elementary School principal and they will be announcing at their next PTO meeting that the township is looking for volunteers to serve on the Recreation Board. The township has received interest letters from: Heather Eichelberger, Cheryl Nail and Sandra Bortner. Ms Wilhide would like to be appointed to the board also. Mr. Hahn does not feel that she can serve on a board while serving as a supervisor, Ms Wilhide does not feel that the Township Code prohibits her serving. Attorney Bupp will look into the legality of her serving on the recreation board. Motion by Ms Leonard, second by Ms Wilhide, unanimously carried, to appoint Heather Eichelberger, Cheryl Nail and Sandra Bortner to the Recreation Board.

OTHER BUSINESS:

-Mr. Hahn referenced correspondence the board received from a resident regarding the purchase of his property to construct a lineal park. The township does not have funding for the project and the board is not interested in the idea.

-Mr. Hahn requested that the zoning officer be reminded to copy the board on all permits and or other authorizations that are affected by Act 46.

-Mr. Hahn explained to Ms McCoy that the township looked into the insurance co-op that she referenced at the last meeting. The township is not in a good position to join the co-op at this time due to certain employee health matters. He told her that the township will continue to shop

insurance plans and rates.

-Mr. Hahn requested that the sick day tally for an employee that was provided to the board by the manager be officially designated as correct. (Copy attached) Motion by Mr. Hahn, second by Ms Wilhide, unanimously carried, to officially designate the sick time for the individual employee.

-Mr. Hahn stated that he will be attending the York County Association of Townships of the Second Class convention, held on November 11th. Ms Wilhide will attend also.

-Mr. Hahn informed the board that he feels the trucks using township roads could be in violation of the Pennsylvania Vehicle Code, and would like to look into the installation of “No Truck” signs.

ADJOURNMENT: The meeting was adjourned at 10:19 p.m. on a motion by Ms Leonard, second by Ms Wilhide, unanimously carried.

Respectfully submitted,

Lou Anne Bostic