

CONEWAGO TOWNSHIP BOARD OF SUPERVISORS
APRIL 3, 2012

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 Lorreta Wilhide (Chairperson), Brian Klinger (Vice-Chairperson), Robert Hahn (Supervisor), Timothy Bupp (Solicitor), Terry Myers (Engineer) and Lou Anne Bostic, (Secretary).

Pledge of Allegiance:

RECOGNITION OF PUBLIC REQUESTS:

- Cheryl Hengst, 1380 Jug Road requested that the township install a ditch on her property to divert water away from her house. Ms Wilhide informed her that this will be discussed under the engineer's report.

-Roy Wilt, 2415 Millcreek Road, complained about the dust being created by the operations at Spring Valley Mulch. Mr. Klinger informed him that he is aware of the dust problem and has been shutting down operations when it is windy and has plans to construct a building to load the animal bedding inside. Mr. Klinger asked Mr. Wilt to come see him when they are bothered by dust. Ms Wilhide asked Mr. Klinger if planting some type of barrier would help. Mr. Klinger plans on installing a dirt berm with trees in the future.

Approval of Agenda: Motion by Mr. Hahn, second by Mr. Klinger, unanimously carried, to approve the agenda as prepared. Vote: 3 to 0

Public Hearing:

-Ordinance #338, an ordinance establishing speed restrictions in the Bennett Run Development. No comments were presented. Motion by Mr. Klinger, second by Mr. Hahn, unanimously carried, to adopt Ordinance #338. Vote: 3 to 0

-Ordinance #339, an ordinance amending Ordinance #296, as amended by Ordinance #337, making the appointment of a township manager. No comments were presented. Motion by Mr. Klinger, second by Ms Wilhide, motion carried, to adopt Ordinance #339. Mr. Hahn voted in opposition. Vote 2 to 1

Approval of Previous Minutes: Motion by Mr. Klinger, second by Ms Wilhide, unanimously carried, to approve the March 6, 2012 minutes. Vote: 3 to 0

PLANNING & ZONING: None

REPORTS:

The following reports were distributed to the Supervisors: Treasurer's Report for March, Police Report, Sewer Authority Report, Fuel Report and Building Permit Report.

-Mr. Hahn requested that the Road Maintenance Account #438 line item be increased from the original budget amount as the expenditures have exceeded that amount. The manager will print a report detailing the expenses and the board will review for the next meeting.

-Motion by Mr. Hahn to except all reports except the Treasurer's Report. Motion died due to lack of second. Motion by Ms Wilhide, second by Mr. Klinger, motion carried, to approve all reports. Mr. Hahn voted in opposition. Vote: 2 to 1

-Todd Smith, Roadmaster, requested permission to have Charles Craley start as soon as possible as the new seasonal employee. Motion by Ms Wilhide, second by Mr. Klinger, unanimously carried, to authorize the hiring of Charles Craley. Vote 3 to 0 Dean Emig will be returning also.

-Todd Smith requested authorization to have the seasonal employees attend a flagger training course which PSATS is hosting for \$50.00 per person. Motion by Mr. Hahn, second by Mr. Klinger, unanimously carried, to authorize the flagger training. Vote 3 to 0

-Todd Smith requested authorization to attend a spraying certification course. The township currently cannot apply any herbicides. Todd would like to take the core course and the course for roadside vegetation. Ms. Wilhide asked Todd to research playground application certification. The core course cost is \$50.00 with each additional category costing \$10.00. The road crew can spray under the road masters certification with supervision. Motion by Ms Wilhide, second by Mr. Klinger, unanimously carried, to authorize Todd to obtain the necessary sprayer certifications. Vote: 3 to 0

RECREATION REPORT

-Nick Blitva, 220 Hunter Creek Drive, Chairman of the Parks and Recreation Board, reported on the following:

-Request to approve the farming of the Canal Road property by Daryl Frick. Mr. Blitva stated that he is not familiar with this issue and has nothing to offer, he thought it was already approved and is not sure why it is an issue for tonight's meeting. Mr. Klinger asked if the supervisors approved this at the last meeting. The manager informed him that it was not approved.

Mr. Klinger feels the farmer does a good job and does not have a problem with the request. He suggested that the farmer be notified to keep the crops back in order to improve traffic site distance. Motion by Mr. Klinger, second by Ms Wilhide, motion carried, to approve the farming of the Canal Road property by Daryl Frick at the quoted price of \$450.00. Mr. Hahn voted in opposition because he thinks it will tie up the development of the property. Mr. Blitva stated that the recreation board does not have any plans for development at this time. Vote: 2 to 1

-Request to install stone walking path to Field #2 and Field #3. Mr. Blitva stated that this matter was never brought up to them and according to the minutes they were given the preceding recreation board had recommended the installation to the supervisors. Ms Wilhide would like to hold off on the path construction until the boards look at improving the traffic flow in the upper driveway. Both projects could be tied in together. Ms Wilhide would like a drawing to show exactly what the athletic association is requesting. Mr. Hahn feels the recreation board should provide a design for review. Mr. Klinger would like to see a design submitted. Todd had submitted a drawing of the proposed work that will be presented at the recreation board meeting. He will give the supervisors and the recreation board members a copy of his sketch. The request was tabled to allow further review.

-Request from Scott McCoy, Scout Leader, to do various improvements to the grounds and the building at the Zion View Community Park. Mr. Blitva informed the board that Mr. McCoy attended their last meeting and presented the request. The recreation board does not have an opinion on the request and they took his request under advisement and turned the request over to the supervisors. Mr. Klinger asked why the recreation board does not have a recommendation for the supervisors. Mr. Blitva stated that due to the nature of the request they could not make a recommendation. Mr. Hahn pointed out that the sign improvement requests would have to be addressed by the athletic association. The township does not own the sign. Mr. McCoy informed the board that his request for the improvements will be completed at no cost to the township except for the cost of the additional mulch that he is requesting. The township does not have the rubber mulch and will have to check into cost and minimum order amount to determine if this is possible. Ms Wilhide would like to see a sketch of the proposed paver installation and the display case. Mr. McCoy showed a sketch of a portable display case that he is proposing and he will meet with Todd Smith to look at designs to fit in with the township improvements.

Motion by Mr. Hahn, second by Mr. Klinger, unanimously carried, to approve the request with the exception of the athletic association responsibilities. Vote: 3 to 0

-Mr. Blitva presented a report on a request from Joe Brillhart for the township to possibly lease a portion of his property as a community Linear Park. Some of the members of the recreation board met with Mr. Brillhart to tour the property. The board informed the supervisors that they have no opinion, suggestion or recommendations regarding this matter.

Terry Myers suggested that the board consider using this property to meet the upcoming EPA Chesapeake Bay Pollution controls.

Motion by Mr. Hahn, second by Ms Wilhide, unanimously carried, to inform Mr. Brillhart that at this time the board does not see it feasible to lease the property for recreational purposes. Vote: 3 to 0

SOLICITOR'S REPORT:

- Attorney Bupp reviewed the written report and recommended that the board resolve to participate in the group negotiations utilizing The Cohen Law Group. Attorney Cohen confirmed his confidence in obtaining federal grant funds to cover the Township's outlay for his legal representation, in addition to increasing revenue and improving service in the negotiations of the cable franchise agreement. Motion by Ms Wilhide, second by Mr. Hahn, unanimously carried, to adopt a resolution to enter into an agreement with The Cohen Group Law firm to renegotiate the Township's cable franchise agreement with Comcast.

Vote: 3 to 0

-Attorney Bupp reviewed the Act 167 stormwater management ordinance requirements. This matter was discussed in October 2011 and tabled. Terry Myers and Attorney Bupp explained that further clarification from DEP and the York County Planning Commission has not been provided. Terry Myers informed the board that the MS4 permit, required by EPA for Conewago Township including the Notice of Intent to comply with the requirements, will be due in September 2012. At that time the permit and Act 167 will require the adoption of the new stormwater management ordinance. Mr. Myers recommends that the board review the model ordinance and take action by August 2012. Motion by Mr. Hahn, second by Mr. Klinger, unanimously carried, to table action until June to obtain additional information.

Vote: 3 to 0

ENGINEER'S REPORT: Terry Myers presented the written report and commented on the following:

- Mr. Myers reported that the Hickory Ridge Mews HOP agreement has been completed to change the financial responsibility from the township to the developer. The agreement will be signed by Lennar and returned for board signatures at the next meeting.

- Mr. Myers presented an estimate for the reconstruction of Bowers Bridge Road, between Locust Point Road and Conewago Creek Road, totaling \$170,700.00. This project would need to be added to the 2012 road project list. Motion by Ms Wilhide, second by Mr. Klinger, motion carried, to create a change order to reflect the following final 2012 road project list, adding Bowers Bridge Road and taking out the roads proposed for wearing course applications.

-Bremer Road, from Bull Road east 4,280' – base repair, shoulder/swale construction and wearing course.

-Copenhaffer Road – Susquehanna Trail to Fisher Drive, milling, base repair and wearing course. The repair of a small section at end of Copenhaffer Road, on the Susquehanna Trail, will be included in this project.

-Copenhaffer Road – Lewisberry Road to Big Creek Road, reclaiming and base course.

-Bowers Bridge Road – Locust Point Road to Conewago Creek Road, milling, stone base, base course and binder.

Mr. Hahn voted in opposition. Vote 2 to 1.

-Floyd Brown, 1675 Copenhaffer Road, informed the board that he wants his mailbox to be as accessible as it was before the road was repaired after the storms last fall. He stated that he had installed a blacktop area so the mail carrier could turn into his driveway and exit without running over his yard. The township engineer will take another look at the property, it was noted that the mailbox is back off the road. Mr. Hahn referenced the “Mertz” property repairs that were requested and turned down because they were located outside of the township’s right of way. He stated that it wasn’t fair to them or fair to Mr. Brown. Ms Wilhide informed Mr. Brown that they will look into this and get back to him.

-Terry Myers addressed the concerns of Cheryl Hengst, 1380 Jug Road. The storm water work is scheduled after June 16th. because the stream is labeled as a trout stream and work must wait until after that date. He told her that he will take another look at the elevation of the property. Ms Hengst told the board that since the improvements were completed on Jug Road storm water is flooding her property and house and she would like it to be corrected properly with this project.

-Mr. Myers informed the board of a storm water concern located at the Zion View Community Park. The property owner directly across the street installed a pipe to carry the water across their property. The township will be installing a culvert box and their pipe will be connected but remain their responsibility. The township manager will inform the property owner, in writing, of their continued responsibility for maintenance of the pipe they installed.

UNFINISHED BUSINESS:

-The board previously approved the use of the PLGIT Procurement Card Program, on a vote of 2 to 1 at the February 2012 meeting. A resolution authorizing issuance of the procurement card is required. Mr. Hahn is not in favor of using the purchasing card because he feels it is giving up the control that the board has and he is opposed to it.

Motion by Ms Wilhide, second by Mr. Klinger, motion carried, to adopt the Resolution authorizing issuance of procurement cards. Mr. Hahn voted in opposition. Vote: 2 to 1

NEW BUSINESS:

-The township received a request from PSATS to resolve to support reform to the Prevailing Wage Act. Motion by Ms Wilhide, second by Mr. Hahn, unanimously carried, to adopt the resolution. Vote: 3 to 0

-Request to replace a road crew members personal phone that was damaged on the job. Motion by Ms Wilhide, second by Mr. Klinger, unanimously carried, to authorize the phone replacement. Vote: 3 to 0

-Sealed bids were received for the sale of the Tiger tractor/mower. The highest bid received was in the amount of \$8,125.00. Motion by Ms Wilhide, second by Mr. Hahn, unanimously carried, to authorize the sale of the equipment to the high bidder. Vote: 3 to 0

OTHER BUSINESS:

-Ms Wilhide voiced concern about the township offices operating on primary election day and requested that the holiday be reinstated. Mr. Hahn is opposed. Mr. Klinger feels that if the office door and windows are closed it should be fine. Ms Blitva stated that the other polling place does not experience problems even if politics are discussed.

-Mr. Blitva would like to meet on site to review the proposed Zion View Community Park walking path location.

ADJOURNMENT: Ms Wilhide adjourned the meeting at 8:53 p.m.

Respectfully submitted,

Lou Anne Bostic