

Conewago Township Board of Supervisors

September 6, 2016

-Call to Order & Pledge of Allegiance:

The regular meeting of the Board of Supervisors was held at the Township Municipal Building. The meeting was called to order by the Chairman, at 7:00pm. Those in attendance were, Lorreta Wilhide (Chairman), Brian Klinger (Vice Chairman), Daryl Hull (Supervisor), Timothy Bupp (Solicitor), Terry Myers (Engineer) and Lou Anne Bostic (Manager).

- Steve Stoner, 910 Copenhaffer Road, Brandon Stoner, 30 Hemlock Road and Emily Winand, 910 Copenhaffer Road announced that they are audio and video recording the meeting.

-Recognition of Public Requests: Ms Wilhide pointed out the addition of a floor microphone and asked the public to use the microphone for their requests.

-Emily Winand, 910 Copenhaffer Road, asked the Board why the public has to use the floor microphone to address the Board. Ms Winand stated that she cannot see a valid reason for the microphone.

-Brandon Stoner, 30 Hemlock Road, announced that he is using the microphone, under duress, asking to speak about the proposed Burn Ordinance on the agenda. Ms Wilhide informed Mr. Stoner that public comments will be heard during the Public Hearing scheduled on the agenda.

-Steve Stoner, 910 Copenhaffer Road, commented on the updated Rules of Decorum, regarding the absence of titles on the Board's placards. The titles will be added to identify the Board's positions.

-Shawn Floyd, 1150 Greenspring Road, President of the Zions View Athletic Association, informed the Board that the Little League Team (9-10) won the Pa State, District 14 Championship. The association would like to install a permanent sign on the Field #2 fence to commemorate the event. The Board is in favor of the sign as long as all zoning requirements are met. Mr. Floyd will contact the Zoning Officer. Mr. Floyd presented a plaque to the Conewago Township Staff in appreciation for the time and commitment in inspiring the youth of our community.

-Rick Gruver, 105 Autumnwood Avenue presented the Board with complaints regarding the lack of assistance he receives from the Autumn Woods Development Home Owners Association. Ms Wilhide informed Mr. Gruver that the township has no control over HOA's, however, she is attending the Association's next meeting.

-Ms Wilhide announced that the Conewago Township Rules of Decorum and Agendas have been changed. The public was provided with new copies as they entered the meeting room.

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

-Approval of Previous Minutes: Motion by Mr. Klinger, seconded by Mr. Hull, unanimously carried, to approve the previous minutes of August 3, 2016. Vote: 3-0

-Public Hearing: Ordinance #354, amending and restating the Burn Ordinance.

-Brandon Stoner, 30 Hemlock Road, and Curtis Knaub, 1595 Jug Road, voiced concerns with outdoor cooking definitions and uses.

-Mark Golicher, 100 Mill Run Road, stated that people are still burning during the current burn ban. Mr. Golicher feels that the burn ordinance should focus on safety issues. (embers and sparks)

- Mr. Hull stated that if a burn ban is in place no outside burning should be taking place Unless charcoal or propane/natural gas is being used. The UL requirement only comes into play during a burn ban.

- Brandon Stoner asked the Board for a definite answer to his question, “Can he cook on his home crafted cooking grill?” Mr. Hull and Ms Wilhide both informed him that he can cook due to the exception in Section 3-b-6, unless a burn ban is in place, then he cannot cook unless he cooks with charcoal or propane/gas in a UL listing manufactured unit. Brandon Stoner stated that he feels the Fire Company BBQ events should not take place during a burn ban. During a burn ban no outside wood fires are allowed.
- Mr. Hull stated that woods and forest fires need to be eliminated and burn bans are necessary during extreme weather conditions.
- Attorney Bupp informed the Board that Section 4 does not change the exception language in the Ordinance.
- Mr. Klinger informed the Board that he does not think the current ordinance needs to be changed and is not in favor of adopting the proposed burn ordinance.
- Ms Wilhide and Mr. Hull are ok with the proposed ordinance. Mr. Klinger stated that the existing ordinance did not need to be changed.
- Motion by Mr. Hull, seconded by Ms Wilhide, motion carried, to adopt Ordinance #354.
- Vote: 2 to 0. Mr. Klinger recused himself from voting.

-Planning & Zoning:

- Aaron Enterprises requested a one year time extension for approval of the Aaron Enterprises Land Development Plan, dated 11/3/2014. The Board is not in favor of approving the request as presented. Motion by Mr. Hull, seconded by Mr. Klinger, unanimously carried, to approve a 90 day extension. (Time extension until November 1, 2016)
- The manger will inform Aaron Enterprises that no further extensions will be approved. Vote: 3 to 0.
- Rocket Drywall waiver requests:
 - SALDO, Section 505.a, regarding road widening.
 - SALDO, Section 406.a, regarding drawing scale.
 - SALDO, 303 and 402, regarding the submission of a preliminary plan.
- Motion by Ms Wilhide, seconded by Mr. Hull, unanimously carried, to approve the waiver requests. Vote: 3 to 0.
- Rocket Drywall Final Land Development Plan. The property is located along the Susquehanna Trail with access off of the private access drive owned by ES3. The sprinkler installation requirement will be addressed during the building permit process. During that process the fire company will need to review their building connection location if sprinklers are required.
- Motion by Ms Wilhide, seconded by Mr. Hull, unanimously carried, to approve the Rocket Drywall Final Land Development Plan with the following conditions:
 - DEP approval must be received by township.
 - Financial surety must be provided to township.
 - Stormwater fees, if required, must be provided to township.
- Vote: 3 to 0.

-Reports:

- Police Report, Sewer Authority Report and Building Permit Reports were approved on a motion by Mr. Klinger, seconded by Mr. Hull, and unanimously carried. Vote: 3 to 0.

- Treasurers Report:** Motion by Mr. Hull, seconded by Mr. Klinger, unanimously carried, to approve the August 2016 Treasurer’s Report. Vote: 3 to 0.

-Road Report: Todd Smith reported that the John Deere 301SJ needs repaired and presented two options:

- parts and labor to repair, 90 day warranty - \$11,872.64.

- replace whole unit with a remanufactured complete rear, 1 year warranty - \$11,062.77

This machine is only a few years old and does not have many hours registered. Mr. Klinger asked Mr. Smith to contact John Deere to see if they could help with the cost. Motion by Mr. Klinger, seconded by Mr. Hull, unanimously carried, to authorize the repairs at the option two price of \$11,062.77. Vote: 3 to 0.

- Ms Wilhide asked Mr. Smith if a First Aid refresher course has been scheduled for the staff. Todd will schedule and let everyone know the date and time.

- Ms Wilhide asked if the tree company has notified Todd of the proposed date for the work at Mill Creek Park. Mr. Smith will contact Sellers Tree Service again. Terry Myers was asked to verify that the property pins were set on the property.

-Solicitors Report: Attorney Bupp reported on the following:

-Westwood Mobile Home Park. The Conewago Township Sewer Authority has taken the lead on the sewer connection issues and Attorney Bupp will keep the Board updated.

-Attorney Bupp presented a quote from Cohen Law Group for a Comcast franchise fee audit in the amount of \$5,310.00. Motion by Mr. Hull, seconded by Mr. Klinger, unanimously carried, to approve the audit. Vote: 3 to 0.

-Engineers Report: Terry Myers commented on the following:

-Mr. Myers presented the following Bennett Run surety reduction request approvals:

Phase I, Section D – reduction in the amount of \$7,619.00

Phase II, Section A – reduction in the amount of \$47,520.00

Phase II, Section B-2 – reduction in the amount of \$8,167.50

Motion by Ms Wilhide, seconded by Mr. Klinger, unanimously carried, to approve the surety reductions. Vote: 3 to 0.

2016 Road Project Contracts

-Mr. Myers presented change order #1 for Contract #1 in the negative amount of \$2,972.45.

Motion by Mr. Klinger, second by Mr. Hull, unanimously carried, to approve the change order. Vote: 3 to 0.

-Mr. Myers presented Final Payment Application for Contract #1 in the amount of \$174,977.55.

This amount has been adjusted due to a review by Todd Smith, Conewago Township Director of Public Works, and is pending approval from Stewart and Tate, Inc. Motion by Mr. Klinger, seconded by Mr. Hull, unanimously carried, to approve the final payment in the amount of \$174,977.55. Vote: 3 to 0.

-Mr. Myers informed the Board that the MS4 NPDES PERMIT includes more urbanized areas in the township. The York County Planning Commission is looking into the best way to review and address all the new requirements. The Regional Chesapeake Bay Pollutant Reduction Plan consortium was established to improve York County's impaired waters and meet the required pollutant reductions. The York County Planning Commission would like to address the goals at the county level and is asking MS4 municipalities to opt in, by Resolution, to actually develop the new plan. Terry Myers reports that the criteria for a waiver of the new MS4 permit have been established and it appears that the Township may be eligible for a waiver of the permit. Mr. Myers estimates the cost to prepare the waiver request by CS Davidson to be under \$5,000.00. Motion by Mr. Hull, seconded by Mr. Klinger, unanimously carried, to authorize CS Davidson to request the waiver for the Township. Mr. Hull would like to see the impaired streams, as labeled by DEP, be challenged by municipalities. Mr. Hull asked the public to contact their state and federal government representatives to voice opposition to another mandate without funding.

The cost to municipalities and tax payers are out of control. The Board will review the Opt-In Resolution request for the next meeting. The manager will contact York County Planning Commission to inform them that a time extension is needed.

-Mr. Hull asked Mr. Myers if he has received any information from the State regarding the truck traffic classification request. Mr. Myers has nothing to report.

-Unfinished Business:

-Conewago Township Official Map, Terry Myers presented information on the creation and the adoption of an Official Map. Motion by Mr. Hull, second by Ms Wilhide, unanimously carried, to table any action to allow for further research. Vote: 3 to 0.

-Bennett Run Homeowners Association has requested the installation of 4 new stop signs in the development. Action was tabled to allow for further research. The Board stated that the Developer should be responsible for traffic studies and sign installations.

-Autumn Woods Development, No parking requirements. The HOA has sent correspondence to the township regarding parking within the development. Rick Gruver and Mark Golicher both reside in Autumn Woods and presented their concerns with no parking restrictions. Action was tabled to allow for further research. Terry Myers reported to the Board that the developer responded with a status update. The debris should be removed from the vacant lot and the last basin should be converted shortly. The landscaping should be started at the end of September.

-NYCRP recommendation to purchase additional units of service for next year. Ms Wilhide reported that Conewago Township has experienced increased call volumes. Steve Stoner, 910 Copenhaffer Road, asked why more officers are needed and questioned if the officers attending the meetings are using township hours. Mr. Hull stated that the increase in man hours would roughly equal the same as past yearly percentage increases. Mr. Klinger is not in favor of increasing without seeing the Conewago Township budget figures. Motion by Ms Wilhide, second by Mr. Hull, motion carried, to authorize the purchase of 1 additional unit of service.

Vote: Wilhide- yes, Hull- yes, Klinger-no.

-New Business:

-Office transaction window. Tabled to obtain a third quote.

-Mr. Hull recommended that the Township consider an audit for the collection of the Mercantile/Business Privilege Taxes from YATB.

-Other Business:

-Mr Hull informed the Board that he feels the Subdivision and Land Development Ordinance should be considered for an update to provide better controls in place for all development. (i.e.: Road and infrastructure completion limits.)

-Adjournment: Meeting adjourned at 9:16 P.M.

Respectfully submitted,

Lou Anne Bostic, Manager