

CONEWAGO TOWNSHIP BOARD OF SUPERVISORS  
OCTOBER 4, 2011

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:

RECOGNITION OF PUBLIC REQUESTS:

- Cheryl Hengst, 1380 Jug Road, voiced concerns regarding the recent Jug Road project. The water has been redirected to her side of the road and is now flooding her property. She has asked the township to correct the situation for over one month and nothing has been done. Mr. Hahn explained that the road crews have been very busy with all the recent storm damage and asked Terry Myers to check the problem.
- John Baughman, Copenhaffer Road, presented a progress report with pictures to the board regarding the continuing clean up of the junkyard on his property. He informed the board that he should be done by the end of the year.
- Nick Blitva, 220 Hunter Creek Drive, reported that several sewer clean out caps are missing throughout the Hunter Creek Development. He will supply addresses and the township will notify the sewer authority. Mr. Blitva also had a complaint regarding a "window air conditioner" located in a house in the development. Mr. Hahn informed him that this would be a matter for the Home Owners Association.
- Sharon Beck, 1605 Copenhaffer Road, asked why the Road Master is being paid to attend meetings and is seated at the table. Mr. Hahn explained that having Todd attend is helpful to the board and it does not matter to him where he sits.
- Dean Keeports, Millcreek Road, complimented the road crew on the drainage improvements to the road.

AGENDA ADOPTION: Motion by Ms Wilhide, second by Ms Leonard, unanimously carried, to adopt the agenda as presented.

APPROVAL OF MINUTES: Motion by Ms Wilhide, second by Ms Leonard, motion carried, to approve the amended minutes of September 6, 2011.

PUBLIC HEARING - ORDINANCE #335, Conewago Township Stormwater Management Ordinance.

- Mr. Hahn opened the floor for discussion.
  - George Herman, 960 E. Butter Road, questioned if exemptions are included. Terry Myers explained the ordinance that is DEP mandated to be adopted by the township by October 12, 2011. The ordinance presented tonight would not take effect until January 1, 2012. There are no automatic exemptions, the criteria is based on the rate of control and the volume of the storm water. A few administrative details need to be worked out in order for the township to administer the ordinance.
  - Mr. Hahn is concerned that the township staff cannot administer the ordinance and he will not be voting in favor of the adoption tonight. Mr. Hahn feels the township should wait until January 1, 2012.
  - Brian Klinger, Millcreek Road asked if the ordinance is to be adopted tonight because it doesn't sound like it is ready for adoption.
  - Tim Bupp, township solicitor, informed the board of the deadline date and the possible consequences that could occur if the ordinance is not adopted. Federal and State funding and/or DEP fines could be withheld or imposed. Mr. Bupp gave a brief rundown of what other municipalities are doing:
    - 8 or 9 municipalities have advertised to adopt
    - 12 to 15 municipalities are in various stages of research in order to adopt.
    - Manchester Township will not adopt the ordinance at this time.
  - Mr. Hahn wants to wait until the new year to adopt.
- Motion by Ms Wilhide to adopt Ordinance #335. Motion died due to lack of second.  
Motion to table the ordinance until January 1, 2012 was made by Mr. Hahn and seconded by Ms Leonard. Motion carried. Vote: Hahn-aye Leonard-aye Wilhide-opposed.

PLANNING & ZONING:

-Patty Fisher from Holley and Associates presented a 2 lot subdivision on behalf of Ray Krone. The plan does not propose any new building lots. A waiver of Section 525 of the SALDO, regarding marker and monument setting, was presented. Ms Wilhide recused herself from voting because her property is involved in the add on lot being proposed. Motion by Mr. Hahn, second by Ms Leonard, motion carried, to grant the waiver request. All comments have been addressed on the plan with the exception of the property owners signatures being added. Motion by Ms Leonard, second by Mr. Hahn, motion carried, to approve the final Ray Krone subdivision plan, pending signatures being added.

#### PARK & RECREATION BOARD:

-Ms Pat McCoy presented a request from the board to hold a Christmas Party, for the children, at the Zion View Community Center. They will need to send flyers to obtain a count and they need approval to purchase food and gifts. Motion by Ms Leonard, second by Ms Wilhide, unanimously carried, to grant the request and spend the money out of the General Fund, Recreation Special Events category.

Mr. Hahn asked if the purchases can be made with a credit card. The manager explained that the township can make the purchases for them.

#### REPORTS:

-Motion by Ms Wilhide, second by Ms Leonard, unanimously carried, to approve the reports including the expense and disbursement report for September.

#### SOLICITOR'S REPORT:

-Attorney Bupp informed the board that the Act 32 Tax Enabling Ordinance # 336 has been reviewed by his firm and is being presented tonight for the board to advertise for action at the November meeting. Motion by Ms Wilhide, second by Ms Leonard, unanimously carried, to authorize Ordinance # 336, adopting legislation for Earned Income Tax collections, to be advertised for action at the November meeting.

-Attorney Bupp reported that Act 90 allows the township to confirm that an applicant for any permit is current with all tax and other municipal obligations before issuing a permit. Attorney Bupp provided a notice to be added to all building permit applications and posted at the township informing the public that the township is using the Act 90 provisions.

#### ENGINEER'S REPORT:

-Terry Myers reported that the Graffius Road developer has not responded to his phone calls or letters. The developer does have a bond in place. Mr. Hahn instructed the solicitor to draft a letter to Mr. Pasch to reinforce the notice to complete the paving and stormwater project on Graffius Road.

-Change Order #2 from Shiloh Paving, in the amount of \$12,879.64 was presented. Motion by Ms Leonard, second by Ms Wilhide, unanimously carried, to approve the change order.

-Application for Payment #2 from Shiloh Paving, in the amount of \$15,531.37 was presented. Mr. Myers reported that a few items are outstanding. Motion by Ms Wilhide, second by Ms Leonard, unanimously carried, to authorize the payment.

-Mr. Hahn requested the engineer to create the documents necessary for bidding road materials and road projects for 2012, before the end of the year. Motion by Mr. Hahn, second by Ms Wilhide, unanimously carried, to authorize the advertisement of the above bids before the end of the year. Terry Myers will bring the documents for board review to the next budget workshop meeting.

#### UNFINISHED BUSINESS:

-Motion by Mr. Hahn, second by Ms Leonard, unanimously carried, to approve the minutes from the September 28, 2011 budget workshop meeting.

-Motion by Ms Wilhide, second by Ms Leonard, unanimously carried, to grant another three month extension to Mr. Baughman's junk yard permit to allow the property to be cleaned up by the end of the year.

#### NEW BUSINESS:

-The board received a request from a resident to release the financial obligation and judgment that the township placed on a subdivision that was approved in 2007. Mr. Hahn recused himself, he is power of attorney for the resident. The township adopted a new SALDO since that time that exempted certain fees from minor subdivision plans. Brian Klinger, Millcreek Road, stated that his Land Development Plan required the fees to be paid and if the

township is going to release the obligation from one it should refund monies paid by others who would be affected by the new SALDO. Ms Wilhide is not in favor and stated that this person is the only person who had a lien placed on the property instead of paying the fees. She does not think this should happen again. Mr. Hahn stated that the resident has financial hardships. Ms Leonard motioned to release the obligation. Motion died due to lack of second. Mr. Hahn stated that he thinks he can second the motion even though he recused himself. Motion not carried.

-Motion by Ms Wilhide, second by Ms Leonard, unanimously carried, to authorize a Statement Of Support For The Guard And Reserve, as recommend by PSATS and The Employer Support Of The Guard And Reserve Of The Pennsylvania Committee.

-Signature is necessary for 2012 SPCA Agreement. The board stated that the township has no other option and will enter into the agreement.

-The board received a request for the Zion View Community Building rental from the Northeastern Senior Center. The event to be held is their Annual Halloween Party, on October 27<sup>th</sup>. From 7:30 a.m. to 1:30 p.m.

Ms Leonard feels that this request should be approved by the Recreation Board first and Mr. Hahn agrees.

Motion by Ms Wilhide, second by Mr. Hahn, motion carried, to approve the request. Vote: Wilhide-aye  
Hahn-aye Leonard-opposed

-Motion by Mr. Hahn, second by Ms Leonard, unanimously carried, to authorize Ms Wilhide to attend the York County Association of Townships of the Second Class convention.

#### OTHER BUSINESS:

-The board approved the purchase of a new backhoe, using \$75,000.00 dollars from the Capital Reserve Fund and the remaining amount due will be paid from the same fund in 2012.

-Pat McCoy, Susquehanna Trail, asked the chairman if a motion should have been made regarding the SPCA Agreement. Mr. Hahn informed her that just a signature is needed.

ADJOURNMENT: Mr. Hahn adjourned the meeting at 8:30 p.m.

Respectfully submitted,

Lou Anne Bostic