CONEWAGO TOWNSHIP BOARD OF SUPERVISORS
541 OXFORD AVENUE
HANOVER, PA 17331

BOARD OF SUPERVISORS REGULAR MEETING APRIL 20, 2020

Chair Charlotte Shaffer called the meeting to order at 6:30 p.m. The meeting began with the Pledge of the Flag and followed by a moment of silence.

The following Supervisors were in attendance (Roll Call):
Chair Charlotte Shaffer Vice Chair Thomas Weaver Thomas Klunk
Don Knight Louann Boyer

The following appointed Township professionals were also in attendance (Roll Call):
Tim Shultis, Solicitor Chief Gary Baumgardner
Scott Small, Maintenance Manager Dave Arndt, Zoning/Code Enforcement Officer
Angela Pabon, Assistant Secretary/Treasurer

The Board of Supervisors Workshop for April 20, 2020 was cancelled.

There was no one in the audience due to the Local Disaster Declaration, however, the meeting was live streamed on the Conewago Township Facebook page.

On April 1, 2020 from 11:02 a.m. to 12:15 p.m., The Board held an executive session to discuss personnel matters.

On April 20, 2020 from 5:20 p.m. to 6:23 p.m., The Board held an executive session to discuss personnel matters.

1. **Minutes**

   Supervisor Thomas Klunk made a motion to approve the February 12, 2020 Special Meeting Minutes, seconded by Supervisor Louann Boyer. Approved Vote 5-0

   Supervisor Don Knight made a motion to approve the March 16, 2020 Workshop and Regular Meeting Minutes seconded by Supervisor Thomas Klunk. Approved Vote 5-0

   Vice Chair Thomas Weaver made a motion to approve the March 25, 2020 Special Meeting Minutes, seconded by Supervisor Louann Boyer. Approved Vote 5-0

2. **Public Comment for agenda items**

   All public comment was received through Facebook.

   Al Shaffer and Janelle Weaver Hummer commented regarding the quality of the live stream.

   Tammie Knight, Tax Collector, commented that she will have comment during the tax session.

   Ted Bortner commented regarding the live streaming and how it helps with transparency and allows for public comment. He asked several questions including, the roll back of the tax increase status, the status of the 10 year moratorium on development, whether any Supervisors planned to use the township healthcare at taxpayer expense advising it currently cost around 30,000.00/year for a Supervisor, do any

of the 2020 Supervisors plan to post for the open Township Manager position an if so, will this be public information and will they recuse from voting on the topic, why did the Board cast doubt on the promotions of Chief Baumgardner and Sergeant O'Brien and what is the status and will these questions be part of the April meeting minutes?

Chair Charlotte Shaffer responded regarding the roll back of the tax increase advising the Board will not be able to decrease the tax to the 2019 rates because it would be a tremendous cost to the township and it is on the agenda to reaffirm the January 6, 2020 decision to increase the tax. This Board missed the opportunity to change the tax levy however, the Board intends to revisit this during budget.
Vice Chair Thomas Weaver commented on the legitimacy of the 2 to 1 vote for the tax increase, the expense surrounding a tax decrease now that tax bills have already been issued and intent to roll the taxes back during the 2021 budget.

Vice Chair Thomas Weaver responded to Ted Bortner's question regarding the announcement of a 10 year moratorium on development. Vice Chair Thomas Weaver clarified that the Solicitor was asked to investigate whether a 10 year moratorium could be put in place. Vice Chair Weaver advised case law is not favorable to across the board moratoriums on land use and therefore this could cause litigation for the township.

Several board members responded to Ted Bortner's question regarding any Supervisors planning to acquire healthcare through the township at taxpayer expense. Several agreed not at this point in time and that the question was not an agenda item.

Vice Chair Thomas Weaver responded to Ted Bortner's question on the Township Manager position advising the Manager's Ordinance is currently up for review for potential changes and are not looking to recruit at this time.

Solicitor Tim Shultis advised Ted Bortner's question regarding Chief Baumgardner and Sergeant O'Brien would not be appropriate to answer.

Chair Charlotte Shaffer responded to Ted Bortner's question regarding questions being included in the April meeting minutes. She advised the live stream will be permanently available on the Facebook page and the meeting minutes will be done the same as they have in the past and an audio recording will also be available.

Linda Swift commented regarding the availability of the meeting minutes online. Chair Charlotte Shaffer advised approved meeting minutes will be available online.

Tammie Knight, Tax Collector, advised her question goes along with Ted Bortner's first question.

Bob Miller commented regarding the volume of the livestream.

Tammie Knight, Tax Collector, asked "Isn't the reason the taxes can't be lowered because it's a law in the 2nd class township code"? Solicitor Tim Shultis responded yes.

Tammie Knight, Tax Collector, commented regarding putting a statement about rescinding the lowering of taxes in the paper due to residents sending in lower payments because of a statement made at the March 16th meeting. Chair Charlotte Shaffer advised this is an action item on the agenda.

3. COMMUNICATIONS AND INTERACTIONS

The SAVES March report was enclosed in the packet for review. A local business named 1-800-BOARDUP disinfected all of SAVES apparatus for free.

The transition activity report was include in the packet for review.

REPORT FROM COMMITTEES/SUPERVISOR'S COMMENTS

Administration

Vice Chair Thomas Weaver advised the Manager's Ordinance is a work in progress.

Waste contract information, regarding renewal, was included in the packet for review.

Vice Chair Thomas Weaver spoke on the importance of the Comprehensive Plan in regards to land use. While there has been work completed to update the Comprehensive Plan already, he suggested that the Comprehensive Plan be updated with the involvement of a steering committee of 20 citizens, the Municipal Authority, Planning Committee, all Supervisors, education, community services and public safety. Institutions would also be invited to participate.

Vice Chair Thomas Weaver made a motion for the township to undertake the appropriate process to update the comprehensive plan and begin appropriate dissemination of information to the public to put that process together with the involvement of all supervisors, committees and the community, seconded by Supervisor Thomas Klunk. Approved Vote 5-0

Vice Chair Thomas Weaver made a motion for the Board to prepare a proposed Ordinance for a zoning map amendment to change tracts of land that were changed to residential in 2010, adjacent to the Township Building, and those recently changed in 2019, off Route 116, back to agricultural to be consistent with the current Comprehensive Plan, seconded by Supervisor Thomas Klunk.

Approved Vote 4-1
Supervisor Louann Boyer voted against

Supervisor Don Knight commented that residents have been calling Tammie Knight, Tax Collector, regarding the tax levy reduction discussed last month inquiring the amount they should pay on their taxes. He advised the residents should be paying the amount stated on their tax bill.

Vice Chair Thomas Weaver made a motion to approve Resolution 2020-P, extending property tax due dates, seconded by Supervisor Thomas Klunk. Approved Vote 4-0
Supervisor Don Knight abstained

Supervisor Don Knight made a motion to approve letter change to Resolution 2020-K, Proclamation of Local Disaster Emergency, to Resolution 2020-L, seconded by Supervisor Louann Boyer.

Approved Vote 5-0

Supervisor Louann Boyer made a motion to approve letter change to Resolution 2020-L, Continued Proclamation of Local Disaster Emergency, to Resolution 2020-N, seconded by Supervisor Thomas Klunk. Approved Vote 5-0

Chair Charlotte Shaffer advised the township needs a Right-to-Know Officer as David Arndt is currently the alternate Right-to-Know Officer.

Vice Chair Thomas Weaver commented he would be willing to be the Right-to-Know Officer but also wanted to make citizens aware that public documents do not require a Right-to-Know request. Discussion ensued on time constraints of a Right-to-Know Request and when a Right-to-Know request is and is not necessary.

Supervisor Thomas Klunk made a motion to approve Vice Chair Thomas Weaver as the Right-to-Know Officer, seconded by Supervisor Louann Boyer. Approved Vote 5-0

Vice Chair Thomas Weaver made a motion to make Angela Pabon, Assistant Secretary Treasurer and Chair Charlotte Shaffer administrators on the Facebook page and administrators on the township website, seconded by Supervisor Thomas Klunk. Approved Vote 5-0
Discussion occurred regarding personal Facebook pages conflicting with admin Facebook pages.

Vice Chair Thomas Weaver suggested we hold two meetings a month. On the second Monday of the month, except those when Municipal Authority meets and this meeting would occur on the second Tuesday, all committees would meet to give their reports. This would occur in the evening, 5:30 or 6:30 p.m., and set as the agenda setting meeting for the following week. After discussion, this discussion was tabled until the next Board of Supervisors Meeting in May.

Vice Chair Thomas Weaver expressed concern regarding the submitted content of the Municipal Authority's Chapter 94 Report including Charmbury, the Klunk Farm and two miscellaneous tracts of land, one residential and one commercial which are not approved land development plans.

Vice Chair Thomas Weaver made a motion to review the Chapter 94 Report for overall consistency with the Act 537 Plan, seconded by Supervisor Thomas Klunk. Approved Vote 5-0

Chair Charlotte Shaffer advised the Board they need an alternate for the Tax Committee and York Adams Tax Bureau to replace Heather Snyder, former Secretary/Treasurer.

Vice Chair Thomas Weaver made a motion for Supervisor Louann Boyer to be the alternate for the Adams County Tax Collection Committee and York Adams Tax Bureau, seconded by Supervisor Thomas Klunk. Approved Vote 5-0

4. ROADS

Vice Chair Thomas Weaver made a motion to accept the 2019 Liquid Fuels Audit Report for filing, seconded by Supervisor Don Knight. Approved Vote 5-0

The township received $238,731.05 for the 2020 Liquid Fuels Allocation.

A correspondence from Conewago Enterprise, received March 20, 2020, concerning the Poplar Street construction delay due to COVID-19 was included in the packet for review.

5. STORMWATER

A request was received from a resident, account #08K14-0074A-0, requesting penalties be removed from their stormwater bill due to the property being in process of transfer and the new owner not receiving the bill.

Supervisor Louann Boyer made a motion to remove penalties from stormwater account 08K14-0074A-0, seconded by Supervisor Thomas Klunk. Approved Vote 5-0

Supervisor Louann Boyer made a motion to extend the 1st half stormwater bill due date to May 16, 2020, seconded by Supervisor Thomas Weaver. Approved Vote 5-0

Chair Charlotte Shaffer advised we are waiting for an update from PennDOT in regards to a stormwater issue at Tracy Reed's property on Third Street.

6. REPORT FROM SECRETARY-TREASURER

Vice Chair Thomas Weaver made a motion to approve the Secretary/Treasurer's Report, seconded by Supervisor Don Knight. Approved Vote 5-0

Vice Chair Thomas Weaver made a motion to approve the payment of the prepaid bills and all invoices noted on the report for March 12, 2020 – April 17, 2020, seconded by Supervisor Thomas Klunk. Approved Vote 5-0

Supervisor Louann Boyer and other board members thanked Angela Pabon, Assistant Secretary/Treasurer for putting these reports together.

7. REPORTS FROM DEPARTMENTS

Police

The Police Department's March report was enclosed in the packet for review. The March newsletter was also enclosed in the packet and approved for distribution to the public.

The Drug Take Back Program scheduled for April 25, 2020 has been postponed and no new date has been set.

Chief Baumgardner advised the Police Department had 389 calls for service, 107 traffic stops, 2 DUI's, 1 of which was drug related. Officers are instituting the social distancing and mask wearing but they are still available for service. He advised they were grateful for the N95 mask that have been donated by citizens and general mask, handmade, donated by local businesses. Axon offered additional supplies in which the Police Department did submit that request which is of no cost to the township. Many on-site trainings that were scheduled have been cancelled but many are offering online training, some of which are free. Therefore, the Officers have been taking some free online trainings. The 2020 Juveniles Held Securely Audit has been completed. The new CODY System has been placed on the server. A $1700.00 Buckle up grant was awarded and will start from May 18 to June 7, 2020.

The monthly newsletter was approved to be distributed and put on Facebook.

Township Solicitor Shultis

Vice Chair Thomas Weaver made a motion to rescind the motion for the tax rate to be set at or remain at the 2019 level at 2.0109 mills and reaffirm Resolution 2020-B regarding the tax levy, with the intentions to revisit this during budget time, seconded by Supervisor Thomas Klunk. Approved Vote 4-0
Supervisor Don Knight Abstained

Vice Chair Thomas Weaver made a motion to reaffirm Resolution 2020-F, compensation of certain township employees, seconded by Supervisor Thomas Klunk. Approved Vote 5-0

Vice Chair Thomas Weaver made a motion to rescind the motion to authorize the Solicitor to write a draft Ordinance placing a moratorium on residential development, seconded by Supervisor Don Knight. Approved Vote 5-0

Maintenance Department

Scott Small, Maintenance Manager, advised the Maintenance Department continues to mow, fix roads, street sweep to be completed by the end of the month, work on the preemption device will continue once contractors start working and the Mt. Pleasant traffic signal will need fixed also due to some broken wires. He advised the street sweeper had a water pump issue and created an extensive bill but it is working again.

Municipal Authority

The Municipal Authority report for March to April, 2020 was included in the packet for review.

Chair Thomas Weaver made a motion to reappoint Lynn Toft to the Municipal Authority Board, term ending 2024, seconded by Supervisor Thomas Klunk. Approved Vote 5-0

Township Engineer (Eric Mains, Gannett Fleming, Inc.)

Zoning/Code Enforcement Officer, Dave Arndt, gave a review of Eric Mains Engineer's Report for March.

Vice Chair Thomas Weaver made a motion to approve checks to be submitted to the Commonwealth of PA Clean Water Fund, ACCD Clean Water Fund and Adams County Conservation District for the Blettner Basin Project, seconded Supervisor Thomas Klunk. Approved Vote 5-0

Supervisor Louann Boyer made a motion to approve Resolution 2020-O to acknowledge permit modifications for Smith's Specialized Automotive PennDOT permit seconded by Supervisor Don Knight. Approved Vote 5-0

8. CODE ENFORCEMENT

Zoning/Code Enforcement Officer, Dave Arndt, reviewed his monthly report, dated April 15, 2020.

9. SUBDIVISION/LAND DEVELOPMENT

There was no Planning Commission meeting held for April.

A letter was included in the packet regarding DEP's approval of 260 Blettner Avenue, Sealed Air Corporation's operation of three existing baghouse control devices.

Cost of Community Service Survey was included in the packet for review.

A chart showing the number of houses built in the township per year since 2010 was included in the packet for review.

Zoning/Code Enforcement Officer, Dave Arndt advised there are updates required to the Chapter 83, Floodplain Management Ordinance.
Solicitor, Tim Shultis, advised the township check to see if we are required to make updates by July and he suggested getting Leslie Rhodes to help with updating our Floodplain Ordinance if necessary.

Vice Chair Thomas Weaver made a motion to approve the resignation of Richard Neiderer from the Zoning Hearing Board seconded by Supervisor Thomas Klunk. Approved Vote 5-0

Vice Chair Thomas Weaver made a motion to appoint Richard Neiderer to the Planning Commission Board, term ending 2023, seconded by Supervisor Thomas Klunk.
Approved Vote 5-0

10. ZONING

There will be no Zoning Hearing Board meeting on May 6, 2020.

There will be a vacancy on the Zoning Hearing Board now.

Chair Charlotte Shaffer reminded residents to participate in the 2020 Census and the stay at home has been extended.

11. Public Comment

All public comment was received through Facebook.

Ted Bortner asked for clarification of previously asked questions.

Dani Smith commented in response to there being written minutes of the meeting in addition to audio.

Ben Myers commented regarding the legalities of the motion to make properties that were changed to residential, agricultural again. He also commented on this motion in regards to its impact on a large investment on a piece of land that was rezoned residential.

Tammie Knight, Tax Collector, commented advising that Governor Wolf signed a bill which allows taxing authorities to waive the penalty this year.

Ted Bortner questioned whether any Supervisors planned to use the township healthcare at taxpayer expense advising it currently cost around 30,000.00/year for a Supervisor. Supervisor Louann Boyer replied this question was addressed and no one is interested in going on the health insurance.

Dani Smith commented on the Facebook pages not being linked.

Ted Bortner commented on the process of answering questions and who is responsible for this. Supervisor Louann Boyer replied she is viewing and relaying the questions. Vice Chair Charlotte Shaffer advised there is about a 60 second delay on the live stream.

Al Shaffer commented on a public comment section at the end of the meeting.

Bob Miller commented on draft minutes, resolutions, reports and other documents for review by the residents and speaking louder. Vice Chair Thomas Weaver responded advising we are working with what we have now but have intentions of improving transparency and good sound system, livestreaming through more platforms than Facebook. Chair Charlotte Shaffer advised she is hopeful we may have some items for review along with the agenda in May.

Al Shaffer commented on the volume and his use of a Bluetooth speaker.

Patrick Sheaffer commented on the township holding a meeting of this magnitude without public participation in regards to decisions on smart growth.

Ted Bortner asked for clarification on the Supervisors using township healthcare insurance. Supervisor Louann Boyer reiterated there is no one interested or currently using the township health insurance for themselves.

Patrick Sheaffer commented on the lack of dialogue and opinions.

Bob Miller thanked the Board for their attempt to improve the agenda and supporting documents.

Chair Charlotte Shaffer thanked everyone that participated and posted questions.

Chair Charlotte Shaffer advised Governor Wolf extended the stay-at-home order until May 8, 2020 and don't forget to complete the 2020 Census.

MEETING SCHEDULE

May 7, 2020 (Planning Commission) 6:00 PM - Cancelled
May 13, 2020 (Public Safety Committee) 8:30 AM
May 13, 2020 (Finance/Operations) 9:30 AM
May 18, 2020 (Workshop) 5:30 PM
May 18, 2020 (Board of Supervisors) 6:30 PM

Vice Chair Thomas Weaver made a motion to adjourn into executive session for personnel matters at 8:20, seconded by Supervisor Thomas Klunk. Approved Vote 5-0

The Board of Supervisors unanimously voted to adjourn the Executive Session at 9:17 p.m.
Approved Vote 5-0

The regular meeting resumed at 9:22 p.m.

Vice Chair Thomas Weaver made a motion to approve the separation agreement subject to the recommended changes, seconded by Supervisor Thomas Klunk.
Chair Charlotte Shaffer asked for any public comment. No comment was provided.
Approved Vote 5-0

Supervisor Don Knight made a motion to allow Sergeant O'Brien to continue as Sergeant, seconded by Supervisor Louann Boyer.
Chair Charlotte Shaffer asked for any public comment. No comment was provided.
Approved Vote 5-0

12. ADJOURNMENT

Vice Chair Thomas Weaver made motion to adjourn the meeting at 9:24 p.m., seconded by Supervisor Thomas Klunk. Approved Vote 5-0

Respectfully Submitted:

Angela Pabon, Assistant Secretary/Treasurer