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

BOARD OF SUPERVISORS REGULAR MEETING FEBRUARY 15, 2021

Chair Louann Boyer called the meeting to order at 6:33 p.m. The meeting began with the Pledge of the Flag and followed by a moment of silence.

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

The following appointed Township professionals were also in attendance:
Tim Shultis, Solicitor Police Chief Gary Baumgardner
Scott Small, Maintenance Manager Dave Arndt, Zoning/Code Enforcement Officer
Angela Pabon, Secretary/Treasurer Virginia Thornton, Gannett Fleming Engineer
Carly Forbes, Asst. Secretary/Treasurer

The meeting was Facebook livestreamed and open to the public.

Approximately 10 people were in attendance including: Tony Eline of 12 Linden Avenue, Fred Wilke of 248 Oxford Avenue, Harry and Charles McKean of 126 Onyx Road, Bob Sharrah of 20 Chambersburg Street, Patrick Sheaffer of Villa Vista Avenue, Bob Miller of 3176 Hanover Pike, Tom Angler of Hanover Honda, Tony Forbes and Walter Tilley, Patrick Sheaffer's representative arrived at 7:04 p.m.

1. BID OPENINGS

Bid openings occurred for the Plum Creek Community Park Project and the Blettner Basin Retrofit Project.

Two sealed bids were received for the Plum Creek Community Park Project. The bids were opened by Chair Louann Boyer and were announced as follows:

Bid #1	**Bid #2**
C.E. Williams & Son	W.G. Land Co.
$435,200.00	$638,000.00

One sealed bid was received for the Blettner Basin Retrofit Project. The bid was opened by Chair Louann Boyer and was announced as follows:

Bid #1
Mitchell Knorr Contracting
$191,720.00

Bid opening concluded at 6:38 PM. Chair Louann Boyer advised action would be taken later in the meeting under Engineering.

2. EXECUTIVE SESSION

Tim Shultis, Township Solicitor advised the Board of Supervisors held an executive session from 5:46 p.m. to 6:30 p.m. under section 708 A3, 4 & 5 of the Sunshine Act.

3. PUBLIC COMMENT ON AGENDA ITEMS

Fred Wilke, of 248 Oxford Avenue, commented on the position of the Supervisors, the comp plan, doing what is right for the residents, concerns with the Residence on Church development, Supervisors reviewing plans, and concerns with pervious concrete.

Bob Miller, of 3176 Hanover Pike, commented on the office coordinator position being on the agenda, 3rd party representative position, reports on the agenda being provided to the public, and a report on the executive session.

William Popovich commented through Facebook on the Fire Chief's report for the Residence on Church development, boards taking action on plans, the boards right to say no to developers, extensions being given to developers, the fiscal impact of developments and the Board of Supervisor's having the right to vote no.

4. MINUTES

Vice Chair Thomas Weaver made a motion to approve the January 18, 2021 Workshop and Regular meeting minutes. Seconded by Supervisor Thomas Klunk. Approved Vote 5-0

Supervisor Charlotte Shaffer made a motion to table the February 10, 2021 Special Meeting Minutes until the next meeting for corrections, seconded by Supervisor Thomas Weaver. Approved Vote 5-0

5. COMMUNICATIONS AND INTERACTIONS

The SAVES January report was included in the packet and posted on the township website for review.

The PSATS January 2021 Newsletter was included in the packet and posted on the township website for review.

6. REPORTS FROM COMMITTEES/SUPERVISOR'S COMMENTS

Administration

Chair Louann Boyer advised that a decision was made at Workshop not to renew the PA Municipal League membership due to lack of utilization. Discussion occurred.

Supervisor Charlotte Shaffer made a motion to readvertise the part-time code enforcement position in The Merchandiser for 2 cycles, seconded by Supervisor Tom Klunk. Approved Vote 5-0

Chair Louann Boyer advised of a request from Advance Disposal to increase recycling $9.00 per quarter starting March 1st due to the increases they are receiving as a hauler. Discussion occurred.

Vice Chair Thomas Weaver made a motion to approve Advanced Disposal's request for a $9.00 per quarter increase, seconded by Supervisor Charlotte Shaffer. Approved Vote 5-0

Dave Arndt advised a notice was received from PSATS regarding an open record policy change. Therefore, Resolution 2021-B, Fee Schedule will need updated to include these fee adjustments. Discussion occurred on the changes.

Vice Chair Thomas Weaver made a motion to adopt Resolution 2021-J, Revised Fee Schedule, seconded by Supervisor Charlotte Shaffer. Approved Vote 5-0

Chair Louann Boyer advised that the Office Coordinator position that was approved last year was a temporary position that is no longer needed after promotions were made at last month's meeting.

Supervisor Charlotte Shaffer made a motion to ratify exoneration of the Tax Collector from the collection of 2020 Per Capita Taxes in the face amount of $3,655.00, seconded by Vice Chair Thomas Weaver. Approved Vote 4-0

Supervisor Don Knight abstained due to his wife being the tax collector.

Supervisor Charlotte Shaffer made a motion to ratify the actions of the Conewago Township Tax Collector for settlement of the 2020 duplicate with the county in the face amount of $20,725.36 and exonerating her for collection of the same, seconded by Vice Chair Thomas Weaver.

Approved Vote 4-0

Supervisor Don Knight abstained due to his wife being the tax collector.

PENSION

Supervisor Charlotte Shaffer made a motion accepting Resolution 2021-K, the resolution adopting the Chief Administrative Officer of the Police and Non-Uniformed Pension Plans of Conewago Township as the Secretary/Treasurer, seconded by Supervisor Don Knight. Approved Vote 5-0

Supervisor Don Knight advised that Quinn Bower, 3rd Party Representative for Pension, may no longer be able to fill this position. Angela Pabon, Secretary/Treasurer advised that Quinn Bower is working to see if the financial institution he is working under will allow him to continue serving on the Pension Board. Chair Louann Boyer advised she has received one application for the positon.

NEGOTIATIONS

Chair Louann Boyer advised a letter of intent for negotiations was received from the Conewago Township Police Department, dated February 3, 2021.

STORMWATER

Chair Louann Boyer advised an email was received from the auditors regarding a reimbursement to General Fund from Stormwater which was not completed in 2020. The letter advised that Stormwater was to pay back the General Fund $30,000.00 every year for the initial setup of Stormwater for a total reimbursement of $140,000.00. So far Stormwater has reimbursed the General fund in 2017, 2018 and 2019 for a total of $90,000.00. This leaves a balance of $50,000.00. There was no payment made in the year 2020. The remaining reimbursements would be for 2020, in the amount of $30,000.00 and in 2021 for the final amount of $20,000.00.

Supervisor Don Knight made a motion to transfer $30,000.00 from Stormwater account to General Fund account, seconded by Vice Chair Thomas Weaver. Discussion occurred on the documentation of the borrowed money. Approved Vote 5-0

Supervisor Don Knight left the meeting briefly.

7. REPORT FROM SECRETARY-TREASURER

Supervisor Don Knight made a motion to approve the Secretary/Treasurer's Report, seconded by Vice Chair Thomas Weaver. Discussion occurred on the budget lines for solicitor/legal and engineering fees and concerns about going over budget. Vice Chair Thomas Weaver suggested discussing it in more detail at the next Finance/Operations meeting. Approved Vote 4-0

Supervisor Don Knight not present during vote.

Vice Chair Thomas Weaver made a motion to approve the bills paid/to be paid, January 16, 2021 to February 12, 2021, seconded by Supervisor Charlotte Shaffer. Approved Vote 4-0

Supervisor Don Knight not present during vote.

8. REPORTS FROM DEPARTMENTS

- **Police**

  The Police Department's January report and Newsletter were enclosed in the packet for review.

  Police Chief Gary Baumgardner advised the Police Department had 60 traffic citations, 1 non-traffic citation, 53 warnings, 37 faulty cards, 2 parking tickets and 1 alcohol impaired DUI. The monthly newsletter has gone out and has already been distributed. The floor in the troop room is being replaced on April 28th, 29th and 30th. The new police car arrived Wednesday and will be going in Thursday for graphics and updated with equipment after that.

  Police Chief Gary Baumgardner gave a shout out to Scott Small and the Maintenance Department for clearing ice at the cross walks of Conewago Township Elementary so the children could safely cross.

- **Township Solicitor Shultis**

  Tim Shultis, Township Solicitor, discussed the sample COVID-19 Paid Leave Policy. Discussion occurred and the board decided not to move forward with adopting the policy.

  Tim Shultis, Township Solicitor, advised there was an error in the tax levy resolution and a revised Tax Levy, Resolution 2021-H was provided. This revised resolution just corrects the clerical error with respect to the expression of the millage in a dollar format, it does not change the millage rate.

  Vice Chair Thomas Weaver made a motion to adopt Resolution 2021-H, Revised Tax Levy seconded by Supervisor Charlotte Shaffer. Approved Vote 4-0
  Supervisor Don Knight not present.

  Tim Shultis, Township Solicitor advised the agreement has been prepared between the Township and Conewago Contractors and has been reviewed by Virginia Thornton, Gannett Fleming Engineer, and himself. They are waiting on signed copies from Conewago Contractors at this time. Once that has been completed, the township will execute and record it and the bond will be released. There is no action needed at this time.

  Tim Shultis, Township Solicitor discussed the Brake Retarder Ordinance that was adopted by the Township in 2008. Discussion occurred on the validity of the Ordinance.

  Supervisor Don Knight returned to the meeting.

  Supervisor Charlotte Shaffer made a motion to authorize the attorney to prepare an ordinance to repeal Ordinance 2008-V, Brake Retarders, and to authorize Scott Small to remove all of the signs from the Township, seconded by Supervisor Don Knight. Approved Vote 5-0

  Tim Shultis, Township Solicitor provided a draft ordinance to remove the maximum floor area ratio from section 155.22E and recommended the board send copies of the ordinance to the Conewago Township Planning Commission and Adams County Office of Planning and Development for their review and comment. The ordinance would be ready to adopt at the April meeting unless there are any concerns.

  Vice Chair Thomas Weaver made a motion to send copies of the proposed Ordinance to Conewago Township Planning Commission and Adams County Office of Planning and Development, seconded by Supervisor Don Knight. Approved Vote 5-0

- **Maintenance Department**

The Maintenance report was included in the packet for review.

Scott Small, Maintenance Manager, advised the Township will be receiving a credit of $1755.00 off of the initial price of the Mt. Pleasant Traffic Signal update due to not having to use one of the cameras that were purchased.

Scott Small, Maintenance Manager, received an authorization from Met-Ed regarding the light at Racehorse Road and Hanover Pike. That form has been signed and sent back to Met-Ed.

Scott Small, Maintenance Manager, advised of the capital replacement plan for the new Zoning/Code vehicle. The budgeted amount was $30,000.00.00. The listing price is $32,420.00 but with trade-in value of $3,000.00 to $4,000.00 for the Ford Escape, COSTARS and other discounts totaling $6,742.00, and following the recommendation of adding the spray in bed liner the total cost will be around $22,000.00.

Vice Chair Thomas Weaver made a motion to replace the code enforcement car with a 2020 Ford F-150 pick-up, seconded by Supervisor Thomas Klunk. Approved Vote 5-0

Scott Small, Maintenance Manager, discussed line item 437.000. There is $75,000.00 in the 2021 Budget and $75,000.00 would have been allocated in the 2022 budget for the purchase of a new backhoe.
Scott advised the current backhoe is having issues that would cost around $17,000.00 to get fixed. He recommended they not pay to get the old backhoe fixed.
Scott received two quotes from Costars for a new backhoe.
JCB Equipment backhoe from Stevenson Equipment was quoted at $106,397.00.
Groff Tractor backhoe was quoted at $111,175.00.
Scott recommended going with the JCB backhoe from Stevenson Equipment.
The old backhoe would go on Municibid to offset the cost of the new backhoe.
Discussion occurred on the purchase and using money from reserves.

Supervisor Charlotte Shaffer made a motion to purchase the JCB backhoe from Stevenson Equipment in the amount of $106,397.00, seconded by Vice Chair Thomas Weaver.
Approved Vote 5-0

Scott Small, Maintenance Manager, advised of the Hanover Borough Joint Bid.

Vice Chair Thomas Weaver made a motion to A.) Accept the bid and award the contract to York Materials Group, LLC. for pre-mixed bituminous concrete under Alternate #1 and York Materials Group, LLC under Alternate #2 Items 1-4. B.) to accept the bid and award the contract for crushed stone to Vulcan Construction Materials LLC. C.) to accept the bid award for the contract for petroleum products to Mid-Atlantic Cooperative Solutions d/b/a Aero Energy for regular unleaded and diesel and to D.) accept the bid award for the contract for Alternate #1 snow and ice rock salt and alternate #2 calcium chloride, all at the listed bid prices, seconded by Supervisor Thomas Klunk. Approved Vote 5-0

Scott Small, Maintenance Manager, advised a letter was received from Gettysburg Youth Soccer Club requesting the use of the fields at Plum Creek Park for two tournaments, one Memorial Day weekend and the other the weekend before Labor Day. COVID protocols will be in place for all attendees and they are offering a $2,000.00 donation to the township.

Supervisor Charlotte Shaffer made a motion to accept Gettysburg Youth Soccer Clubs agreement for 2021, seconded by Vice Chair Thomas Weaver. Discussion occurred. Approved Vote 5-0

- **Municipal Authority**
  The Municipal Authority report for January 2021 to February 2021 was included in the packet for review.

9. CODE ENFORCEMENT

Zoning/Code Enforcement Officer, Dave Arndt, reviewed his monthly report, dated January 13, 2021 to February 12, 2021. He advised his report can be put on the website going forward.

Zoning/Code Enforcement Officer, Dave Arndt, acknowledged the Planning Commission report prepared by the Planning Commission's Chair as an FYI for projects that were worked on in 2020.

An acknowledgement of Annual 2020 Operations Progress Report for the Hanover Quarry from Vulcan was included in the packet for review.

10. SUBDIVISION/LAND DEVELOPMENT

The Planning Commission draft meeting minutes for February 4, 2021 were included in the packet for review.

Residence on Church- Preliminary/Final Land Development Plan

Zoning/Code Enforcement Officer, Dave Arndt explained the waiver requesting relief from Section 135-16.E(5), to not require a Park & Recreation Report in regards to the Residence on Church. He advised it was tabled at last month's meeting and action would need to be taken. Discussion occurred on the reasoning behind the waiver request.
Bob Sharrah of Sharrah Design Group, Inc., commented on his discussion with the Fire Chief and the Hanover Borough regarding adding additional fire hydrants in the development and the purpose of the study being done if there will not be a park built at the development. Discussion occurred.

Vice Chair Thomas Weaver made a motion to approve the waiver request from Section 135-16.E(5), to not require a Park & Recreation Report, for Residence on Church, seconded by Supervisor Don Knight.
Approved Vote 5-0

Zoning Code Enforcement Officer, Dave Arndt, advised of a phone call he received from the Fire Chief stating he was working with the applicant's engineer to come up with a satisfactory plan. Dave will get more information and report back next month.

Zoning/Code Enforcement Officer, Dave Arndt, advised of a request received from Residence on Church to extend the plan action deadline to April 20, 2021 to allow time to satisfy the Township Engineer's comments. Discussion occurred.

Supervisor Don Knight made a motion to extend the plan action deadline for Residence at Church to April 20, 2021 to allow time to satisfy the Township Engineer's comments recommended by the Planning Commission, seconded by Chair Louann Boyer.

Vice Chair Thomas Weaver amended the motion to include the extension be the final extension, April 20th, no additional extensions granted, seconded by Chair Louann Boyer. Discussion occurred.
Approved Vote 3-2
Chair Louann Boyer and Supervisor Charlotte Shaffer opposed.

Vice Chair Thomas Weaver made a motion to approve the plan action deadline for Residence on Church to April 20, 2021, with that being the final extension and no additional extension granted, seconded by Supervisor Don Knight. Approved Vote 3-2

Chair Louann Boyer and Supervisor Charlotte Shaffer opposed.

1226 Carlisle Street – Apple Honda of Hanover - Preliminary/Final LDP (Penn Twp)
Zoning/Code Enforcement Officer, Dave Arndt, advised of a waiver requesting relief from Section 76-17. The plan is a Penn Township plan, however, the Stormwater basin is located within Conewago Township and is being reviewed for Stormwater purposes.
Tom Angler from Sight Designs Concepts spoke on behalf of Hanover Honda to explain the reason for the request. Hanover Honda would be using the basin as originally designed just with 3,000 less square feet going in to the Stormwater basin and has already been approved by Penn Township as well.

Supervisor Charlotte Shaffer made a motion to approve the waiver request from Hanover Honda requesting relief from Section 76-17, to provide rate control for runoff from the proposed parking lot as an alternative to the volume controls required by the Stormwater ordinance, seconded by Supervisor Thomas Klunk. Approved Vote 4-1
Vice Chair Thomas Weaver opposed.

Supervisor Charlotte Shaffer made a motion to conditionally approve the Hanover Honda, Preliminary/Final Plan and Resolution 2021-I, seconded by Supervisor Thomas Klunk.
Approved Vote 5-0

Chapel Meadows – Preliminary Land Development Plan
Zoning/Code Enforcement Officer, Dave Arndt advised the Board a request was received to extend the plan action deadline for Chapel Meadows to August 16, 2021 to satisfy the Township Engineers comments.
Jeff Stough of New Age Associates, discussed the progress of the plan and what is being done at this time to satisfy the Township Engineers comments. Discussion occurred.
Harry McKean, Contract Purchaser, commented on the impact of the Eisenhower Drive Extension on the design of the development and meeting deadlines for the Township.

Zoning/Code Enforcement Officer, Dave Arndt, stated that this was a Preliminary Plan not a Preliminary/Final as stated on the agenda incorrectly.

Supervisor Charlotte Shaffer made a motion to approve the extension of the plan action deadline to August 16, 2021 for Chapel Meadows, seconded by Supervisor Don Knight. Approved Vote 4-1
Vice Chair Thomas Weaver opposed.

Radon Testing
Zoning/Code Enforcement Officer, Dave Arndt, advised of a concern that was expressed at the last Planning Commission meeting regarding radon in the area. Members of the planning commission believe the Township should have some requirements for radon testing and/or inspections for new homes. There was also discussion about putting education on the website and in the next newsletter. The planning Commission also recommended the Board of Supervisors investigate a possibility of a stand-alone ordinance for radon testing. Discussion occurred.
The Board advised Dave to report back to the Planning Commission that they are not in favor of creating a radon ordinance.

11. ZONING
Zoning/Code Enforcement Officer, Dave Arndt, advised there will be a zoning hearing on Wednesday March 3rd at 6 p.m. for the property of 5955 Hanover Road. The applicant is requesting the grant of

variance from the uses permitted by right and by special exception pursuant to Sections 155-14.B. and 155.14.C. of the Conewago Township Zoning Ordinance in order for a residential tenant to operate a tattoo parlor accessory to the single-family detached dwelling residential use of the property.

12. Township Engineer

The Engineer's report dated February 5, 2021 was included in the packet for review.

Township Engineer, Virginia Thornton, discussed the 2021 street maintenance project that is currently under draft and aiming for a bid opening at the March Board of Supervisors meeting.

Vice Chair Thomas Weaver made a motion to authorize advertisement for the 2021 street maintenance bid package, seconded by Supervisor Charlotte Shaffer. Approved Vote 5-0

Chair Louann Boyer made a motion to authorize award for the lowest apparent bidder, contingent upon review of the solicitor and engineer for the Blettner Basin Retrofit project, seconded by Vice Chair Thomas Weaver. Approved Vote 5-0

Township Engineer, Virginia Thornton advised the Board that this is a Stormwater project and is partially funded by PA DEP grant dollars.

Vice Chair Thomas Weaver made a motion to authorize award for the lowest apparent bidder, contingent upon review of the solicitor and engineer for the Plum Creek Community Park project, seconded by Supervisor Don Knight. Approved Vote 5-0

Supervisor Don Knight made a motion to authorize Gannett Fleming to establish contact with neighboring properties for a potential stream restoration project expansion at Plum Creek Park, seconded by Vice Chair Thomas Weaver. Approved Vote 5-0

13. New Buisness

No new business.

14. Old Buisness

Walter Tilley discussed the text amendment that was presented to the Board at last month's meeting and asked that the Board forward it to the township Planning Commission and Adams County Planning and Development for their reviews and public meetings. Discussion occurred.

Patrick Sheaffer discussed the tremendous need for 55+ communities in the area. Discussion occurred on other options for development and the importance of a sustainable community.

Walter Tilley commented on the Patrick Sheaffer's parcel of land already being zoned residential but would benefit from being a 55+ community.

Chair Louann Boyer advised that the Board does not wish to move forward with the text amendment at this time.

15. Public Comment

Fred Wilke, of 248 Oxford Avenue, commented on not agreeing with the Board's decision to grant the waiver request for the Residence on Church, issues that could arise with not having a playground at the Residence on Church, tax increases, the school board giving approval to developments, and issues with impervious parking areas not working correctly.

Patrick Sheaffer, Walter Tilley and Tony Forbes left the meeting at 8:32 PM.

Bob Miller, of 3176 Hanover Pike, commented on the inconsistency of a playground study being done when the developer is given the option of adding a park, not acting on items until the Board has enough knowledge, reports being given out as drafts, a mid-year review of the budget, issues with Patrick Sheaffer being on the agenda, and compliments to the Maintenance Department and the Board for fixing the light at Mt. Pleasant Road.

Fred Wilke, of 248 Oxford Avenue, commented on why the rec fee has not been increased from $1,500 to $4,000 like discussed at prior meetings.
Chair Louann Boyer commented the Board decided to leave the rec fee where it was and not increase it.

William Popovich commented on 55+ communities not living in isolation and their use of fire, emergency services, police, raising their grandchildren, and issues with the property on Church Street not having a park nearby.

16. MEETING SCHEDULE

March 3, 2021 (Zoning Hearing Board Meeting) 6:00 PM
March 4, 2021 (Planning Commission Meeting) 6:00 PM
March 8, 2021 (Reorg. & Regular Municipal Authority) 5:30 PM
March 10, 2021 (Public Safety Committee) 8:30 AM
March 10, 2021 (Finance/Operations) 9:30 AM
March 15, 2021 (Workshop) 5:00 PM
March 15, 2021 (Board of Supervisors) 6:30 PM

17. ADJOURNMENT

Supervisor Charlotte Shaffer made a motion to adjourn the meeting at 8:43 p.m., seconded by Vice Chair Thomas Weaver. Approved Vote 5-0

Respectfully Submitted:

Angela Pabon, Secretary/Treasurer and Carly Forbes, Asst. Secretary/Treasurer