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

BOARD OF SUPERVISORS REGULAR MEETING JANUARY 18, 2021

Chair Louann Boyer called the meeting to order at 6:32 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
Angela Pabon, Acting Secretary/Treasurer
Dave Arndt, Zoning/Code Enforcement Officer
Virginia Thornton, Gannett Fleming Engineer- Arrived at 7:33 p.m.

The meeting was Facebook livestreamed and open to the public.

Approximately 15 people were in attendance including: Fred Wilke of 248 Oxford Avenue, Ellen Ryan and William Popovich of 36 Franklin Drive, Harry McKean of 126 Onyx Road, Pat Sheaffer of 151 Villa Vista Avenue, Walter Tilley, Attorney for Pat Sheaffer, Reg Baugher of 585 McAllister Street, Kris Raubenstine of HLS, Gary Knisley of McGrew/Bobcat, Bob Miller of 3176 Hanover Pike, and Joni Swope Nick Kraus of 386 Church Street and Bob Sharrah regarding Residence on Church.

1. **PUBLIC COMMENT ON AGENDA ITEMS**

   Ellen Ryan of 36 Franklin Drive commented on concerns over waivers being discussed, waivers being given instead of recreation parks being required in new developments, parking concerns and the township codes.

   Fred Wilke of 248 Oxford Avenue commented on concerns related to the Residence on Church development regarding the involvement with the fire company and school district, the tax and rec fees for the development.
   Chair Louann Boyer advised that Zoning/Code Enforcement Officer Dave Arndt could help address some of his concerns.
   Zoning/Code Enforcement Officer stated he met with Fire Chief Tom Lawrence and advised he is looking over the plan and will have something in writing with his suggestions and concerns.
   Fred Wilke also commented on Stormwater concerns not working on the new development.
   Supervisor Charlotte Shaffer advised Fred Wilke to contact the school district.

   Bob Miller of 3176 Hanover Pike commented on edits to the draft reorg meeting minutes, and Pat Sheaffer's draft ordinance being on the agenda.
   Chair Louann Boyer commented he was advised by the solicitor at a prior meeting to put something in writing and bring it back to the board.
   Bob Miller also commented on more reports being put on the website prior to the meeting for the public to review, and his concerns on waivers being given for new developments.
   Supervisor Charlotte Shaffer commented on the placement of the draft ordinance on the agenda.
   Chair Louann Boyer responded after that the solicitor advised her to put it as a separate item on the agenda.

Discussion occurred regarding Bob Miller's request to put monthly financial reports on the Township Website.

Ellen Ryan of 36 Franklin Drive commented on the need for transparency in the state of Pennsylvania.

William Popovich of 36 Franklin Drive commented on the history of Neiderer's pool.

2. EXECUTIVE SESSIONS

Chair Louann Boyer advised there were three executive sessions held regarding personnel matters on January 13, 2021 from 12:00-1:13 PM, January 18, 2021 from 5:00-5:30 PM and 5:40-6:29 PM.

3. MINUTES

Supervisor Charlotte Shaffer made a motion to approve the December 21, 2020 Workshop and Regular Meeting minutes, the December 28, 2020 Special meeting minutes and the January 4, 2021 Reorganizational Meeting minutes with a correction on the Chair, seconded by Supervisor Don Knight.
Approved Vote 5-0

4. DRAFT ORDINANCE-PAT SHEAFFER

Chair Louann Boyer turned the meeting over to Walter Tilley, attorney of Patrick Sheaffer, to present a proposed text amendment to the Township's Zoning Ordinance. Mr. Tilley asked that the board allow Zoning/Code Enforcement Officer Dave Arndt to forward the amendment to the planning commission and Adams County Planning and Development.
Supervisor Charlotte Shaffer commented on the draft ordinance wording including York County instead of Adams County.
Patrick Sheaffer commented on the demand of age qualified housing in the area.
Supervisor Charlotte Shaffer asked the board not to take action on this until it was better researched by the members of the Board. Discussion occurred.

Chief Baumgardner left the meeting at 7:07 PM and returned at 7:34 PM.

Patrick Sheaffer, Attorney Walter Tilly and 1 other attendee left at 7:12 PM.

5. COMMUNICATIONS AND INTERACTIONS

Chair Louann Boyer reviewed the SAVES December report that was enclosed in the packet for review.
Supervisor Charlotte Shaffer suggested the Township reach out to SAVES about putting the cover page on the Township's website. Discussion occurred.

The PSATS December 2020 Newsletter was included in the packet for review.

The Fall/Winter 2020 VNA Newsletter was available to review.

A communication was received from township resident William Popovich. Discussion occurred.

6. REPORTS FROM COMMITTEES/SUPERVISOR'S COMMENTS

Administration

Supervisor Charlotte Shaffer made a motion to approve the education reimbursement request from Officer Groft, seconded by Supervisor Don Knight. Approved Vote 5-0

Supervisor Charlotte Shaffer made a motion to ratify the comp time OT payout of 5.5 hours for Asst. Secretary/Treasurer, seconded by Vice Chair Thomas Weaver. Approved Vote 5-0

Supervisor Charlotte Shaffer made a motion to approve rolling over 23.5 hours of unused vacation time for the Asst. Secretary/Treasurer, seconded by Vice Chair Thomas Weaver.

Approved Vote 5-0

Vice Chair Thomas Weaver advised Chair Louann Boyer to move to office staffing before addressing bank signers.

Vice Chair Thomas Weaver made a motion to appoint the following; Angela Pabon Secretary/Treasurer, salary of $42,500.00 annually, Carly Forbes Asst. Secretary/Treasurer, salary of $33,280.00 annually and Dave Arndt, Administrative Coordinator, salary increase of $2,080.00 annually. Discussion occurred on salaries being retroactive, starting January 6, 2021, seconded by Supervisor Charlotte Shaffer. Approved Vote 5-0

Vice Chair Thomas Weaver advised the board intends on hiring a part-time Code Enforcement Officer at 20 hours per week and wages dependent upon qualifications.

Vice Chair Thomas Weaver made a motion to bond the Asst. Secretary/Treasurer with a Treasurer's Bond of $750,000.00, seconded by Supervisor Don Knight. Approved Vote 5-0

Discussion occurred regarding removing Supervisor Charlotte Shaffer as a signer on all bank accounts and adding Chair Louann Boyer and Asst. Secretary/Treasurer Carly Forbes as signers.

Vice Chair Thomas Weaver made a motion Chair Louann Boyer, Vice Chair Thomas Weaver, Supervisor Don Knight, Secretary/Treasurer Angela Pabon, and Asst. Secretary/Treasurer Carly Forbes to be listed as signers for all bank accounts and execute any bank resolutions, seconded by Supervisor Don Knight. Approved Vote 5-0

Chair Louann Boyer advised of a memo received from Weber Insurance regarding a $200.00 reduction in the HRA support fee. The fee will now be $684.00/month.

RECREATION

Supervisor Charlotte Shaffer recommended the Board postpone looking into adding a disc golf course to the park until other big projects at the park are completed. Discussion occurred. Supervisor Charlotte Shaffer advised she will contact Zachary of Glen Rocs Disc Golf Club.

PENSION

Chair Louann Boyer advised that the third party representative for police pension, Quinn Bower will no longer be able to participate starting in May of 2021.

Vice Chair Thomas Weaver asked about the initiative of the Ag Preserve Committee. Discussion occurred.

7. REPORT FROM SECRETARY-TREASURER

Supervisor Charlotte Shaffer 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 bills paid/to be paid, December 17, 2020 to January 15, 2021, seconded by Supervisor Don Knight. Approved Vote 5-0

8. REPORTS FROM DEPARTMENTS

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

  Police Chief Gary Baumgardner advised the Police Department had 26 traffic citations, 8 non-traffic citations, 31 warnings, 16 faulty cards, 1 parking ticket, 1 drug/alcohol DUI, 1 alcohol only DUI and 1 drug only DUI.

  Police Chief Gary Baumgardner advised of a training for in-car cameras being held May 24th, a $10,000.00 donation was received from McSherrystown Home towards the purchase of in-car cameras, certification received from PA Chiefs Association and adding a policy on blood borne pathogens.

  Police Chief Gary Baumgardner thanked Officer Bailey for providing the Police Department with an additional supply of hand sanitizers at no cost to the Township.

  Police Chief Gary Baumgardner gave departmental commendations to Officers Grim, Freeman, Bevenour, and Detective Snyder for an incident that occurred on January 12th.

  Police Chief Gary Baumgardner advised that the mandatory in-service training for 2021 has begun. They have completed their CPR and first aid training.

  Police Chief Gary Baumgardner advised that police department was approved for the Police One Academy grant in the amount of $1,088.00.

  Chair Louann Boyer asked if there was anything that the Police Chief would allow to be placed on the website for the public to view. Discussion occurred.

  Bob Miller commented on the DUI's. Discussion occurred.

- **Township Solicitor Shultis**
  Tim Shultis, Township Solicitor, discussed the sample COVID-19 Paid Leave Policy. Discussion occurred and the board decided to revisit this after they have time to review it.

  Tim Shultis, Township Solicitor advised the board of the matter of Conewago Contractors, Blettner Avenue project. Discussion occurred.

  Supervisor Charlotte Shaffer made a motion for approval of the release of the letter of credit posted by Conewago Contractors relating to the final land development plan for Blettner Avenue Industrial Buildings in the amount of $2,146,298.88. Condition on 1.) the recording of an agreement between Conewago Contractors, the property owner and the township in a form acceptable by the township solicitor and township engineer which voids and/or nullifies the approval of the final land development plan for Blettner Avenue Industrial Buildings and the related O&M agreement and 2.) to authorize the township through its proper official channels to execute such an agreement, seconded by Supervisor Don Knight. Approved Vote 5-0

- **Municipal Authority**
  The Municipal Authority report for December 2020 to January 2021 was included in the packet for review.
- **Maintenance Department**
  The Maintenance report was included in the packet for review.

Scott Small, Maintenance Manager advised of a letter received from Conewago Valley School District in relation to a street light at the intersection of Racehorse Road and Hanover Pike. Met-Ed is sending more information on the costs. Met-Ed will also be sending information on an LED upgrade that could save 20-50% on street light costs. Discussion occurred.

Scott Small, Maintenance Manager also advised of a discussion with PennDOT requirements regarding the Township's Brake Retarder Ordinance and requirements for Brake Retarder signs. He advised the brake retarder signs do not meet the criteria required by PennDOT and may need to be nullified.

9. CODE ENFORCEMENT

Zoning/Code Enforcement Officer, Dave Arndt, reviewed his monthly report, dated January 13, 2021 and the 2020 year end Zoning/Code Enforcement Officer Report.

Vice Chair Thomas Weaver made a motion to approve the 2020 year end Zoning/Code Enforcement Officer Report. Seconded by Supervisor Don Knight. Approved Vote 5-0

Zoning/Code Enforcement Officer, Dave Arndt advised the Township is to receive $34,959.66 for the 2019 recycling grant in the upcoming weeks.

10. SUBDIVISION/LAND DEVELOPMENT

The Planning Commission draft meeting minutes for January 7, 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.
Virgina Thornton, Township Engineer also explained the waiver of Park & Recreation Report.
Discussion occurred.

Vice Chair Thomas Weaver made a motion to table the waiver request from Section 135-16.E(5), to not require a Park & Recreation Report, for Residence on Church until the Board can further review, seconded by Supervisor Charlotte Shaffer. Approved Vote 5-0

Vice Chair Thomas Weaver requested that Dave Arndt provide the Board with copies of the Ordinance.

Vice Chair Thomas Weaver made a motion to approve the waiver for Residence on Church requesting relief from Section 135-11, to allow the plan to be submitted as a Preliminary/Final Plan, seconded by Supervisor Don Knight. Approved Vote 4-1
Supervisor Charlotte Shaffer opposed

370 Church Street – Bobcat – Preliminary/Final Land Development Plan

Discussion occurred regarding the amount of waivers being requested.

Supervisor Charlotte Shaffer made a motion to approve the waiver request for Bobcat, 370 Church Street, from section 135-11, to allow the plan to be submitted as a Preliminary/Final Land Development Plan, seconded by Vice Chair Thomas Weaver. Approved Vote 5-0

Supervisor Charlotte Shaffer made a motion to approve the waiver request for Bobcat, 370 Church Street from Section 135-32.F, to not require the parking lot and loading areas to be constructed and

maintained to the street improvement specifications, seconded by Supervisor Don Knight. Discussion occurred. Approved Vote 4-1
Vice Chair Thomas Weaver opposed

Supervisor Charlotte Shaffer made a motion to approve the waiver for Bobcat, 370 Church Street, request from Section 135-32.S to not require interior landscaping in a parking lot containing 20 or more parking spaces, seconded by Supervisor Don Knight. Discussion occurred. Approved Vote 5-0

Supervisor Thomas Klunk advised he would like to be on the recorded stating the following regarding the request from Section 135-32.S:
"Because this particular rare instance includes a neighbor with a big driveway going down through the side of the property, I really particularly don't want to see the trees that are there now growing over top somebody else's driveway".
Nick Kraus of 386 Church Street advised Supervisor Thomas Klunk that Bobcat has made a point to address all the concerns.

Supervisor Charlotte Shaffer made a motion to approve the waiver request for Bobcat, 370 Church Street from Section 135-43.F, to allow a different species of evergreen for the use of screening on their site, seconded by Supervisor Thomas Klunk. Approved Vote 5-0

Zoning/Code Enforcement Officer, Dave Arndt advised the Planning Commission made a motion to recommend to the Board of Supervisors to conditionally approve the Preliminary/Final Land Development Plan and Resolution 2021-F, with the conditions listed. Discussion occurred.

Supervisor Charlotte Shaffer made a motion to approve the Preliminary/Final Land Development and Resolution 2021-F, with the conditions listed, seconded by Supervisor Thomas Klunk.
Discussion occurred. Approved Vote 4-1
Vice Chair Thomas Weaver opposed due to Stormwater concerns of neighboring property but no section was stated per 508(2) of the MPC.

Supervisor Charlotte Shaffer made a motion to authorize the Township Engineer and the Township Zoning Officer to review the current upstream Stormwater facilities east of Church Street. Seconded by Vice Chair Thomas Weaver. Discussion occurred. Approved Vote 5-0

Discussion occurred regarding the review of Stormwater runoff in the Church Street area.

Nick Kraus of 386 Church Street provided pictures of runoff to the Board of Supervisors.

Kris Raubenstine of HLS and 1 other attendee left at 8:35 PM.

214 Ram Drive – Preliminary/Final Land Development Plan
Zoning/Code Enforcement Officer, Dave Arndt advised the Board the plan action deadline is March 16, 2021 and there is no action needed.

60 Ram Drive – Preliminary/Final Land Development Plan.
Supervisor Charlotte Shaffer made a motion to approve the request to authorize the Township Solicitor to prepare an amendment to the ordinance eliminating the term Maximum Floor Area Ratio. Seconded by Supervisor Thomas Klunk. Discussion occurred. Approved Vote 5-0

Fred Wilke of 248 Oxford Avenue commented on the maximum floor area ration being roof or ground coverage.

Arrows Pointe – Preliminary Subdivision Plan
Zoning/Code Enforcement Officer, Dave Arndt advised the Board the plan action deadline is March 31, 2021 and there is no action needed.

Chapel Meadows – Preliminary/Final Land Development Plan
Zoning/Code Enforcement Officer, Dave Arndt advised the Board the plan action deadline is February 16, 2021 and there is no action needed.

Intersection of Kindig Lane & High Street and Kindig Lane & Oxford Avenue
Zoning/Code Enforcement Officer, Dave Arndt advised the Planning Commission is requesting the Board engage in a conversation with Hanover Borough to discuss the safety concerns of the intersections of Kindig Lane and High Street and to look into the safety concerns of the intersection of Kindig Lane and Oxford Avenue due to the potential developments on Oxford Avenue. Supervisor Charlotte Shaffer advised she spoke with the Chief of Hanover Borough and PennDOT regarding this issue and there is no issue at this time. Discussion occurred.
The Board advised that an impact study should be done by any future developer relating to this issue.

Joni Swope commented on reportable and non-reportable accidents and adding a right turning lane a High Street and Kindig Lane.

Fred Wilke commented on the suggestion for a turning lane and suggested the speed be lowered on High Street.

11. ZONING
Zoning/Code Enforcement Officer, Dave Arndt advised there will not be a regular zoning hearing in February.

Zoning/Code Enforcement Officer, Dave Arndt commented the only way to control development within the township is to make amendments to SALDO and Zoning Ordinances within the township. Discussion occurred.

Supervisor Charlotte Shaffer made a motion to request the Planning Commission to look into the SALDO, seconded by Chair Louann Boyer. Discussion occurred. Approved 4-1
Vice Chair Thomas Weaver opposed

12. Township Engineer
The Engineer's report for December was included in the packet for review.

Virginia Thornton, Township Engineer, advised of the following:
They are planning for a March 2021 bid opening for the street and drainage project.
Plum Creek Community Park and Blettner Basin Retrofit projects bid openings will occur at the February Board of Supervisors meeting and the Township has been awarded a Growing Greener Grant for the Sherry Village Retention Basin Retrofit.

Virginia Thornton, Township Engineer, asked the board to provide direction to begin conversation, with the Army Corps, to potentially expand the project area of the Plum Creek Stream Restoration Project as discussed at the previous Finance/Operations meeting. She explained the next steps to take.

Supervisor Charlotte Shaffer commented the majority of the Board's intention is to remove the Stormwater bill for the second half of the year and to phase out the MS4 fee. Discussion occurred.

Scott Small, Maintenance Manager, further explained the cost to restore on the Plum Creek Stream. Discussion occurred.

Virginia Thornton, Township Engineer, explained the importance of the opportunity being presented to the Board by the Army Corps. Discussion occurred.

Vice Chair Thomas Weaver made a motion to have the Township Engineer begin discussion with the Army Corps of Engineers on the potential of accessing the necessary dollars and scope of the project and to report back to the Board with how the discussions go and the next steps before the Township is bound to anything, seconded by Supervisor Don Knight. Discussion occurred.

Approved Vote 5-0

13. Public Comment

Bob Miller of 3176 Hanover Pike commended the Board on their personnel changes, and commented on issues with the agenda and time limits being placed on portions of the agenda, Pat Sheaffer's placement on the agenda, expediting the meeting, providing copies of reports, put time into waivers and important issues, letter of credit not cash balance, addressing issues on Kindig Lane and to look into SALDO.

William Popovich of 36 Franklin Drive asked Chair Louann Boyer if she read the presentation he provided, and commented on the need for a Township Manager.

Ellen Ryan of 36 Franklin Drive commented on waivers, codes, the comprehensive plan, photos being presented to the Board and Planning Commission, zoning issues in the Township, supplies for the Police Chief, tax payer money saving, and issues with 55+ communities.

Fred Wilke of 248 Oxford Avenue commented on Pat Shaeffer's plan, and the Residence on Church not being welcome in the township.

14. MEETING SCHEDULE

January 26, 2021 (Police Pension Committee) 10:00 AM
February 3, 2021 (Zoning Hearing Board Meeting) 6:00 PM
February 4, 2021 (Planning Commission Meeting) 6:00 PM
February 10, 2021 (Public Safety Committee) 8:30 AM
February 10, 2021 (Finance/Operations) 9:30 AM
February 15, 2021 (Workshop) 5:00 PM
February 15, 2021 (Board of Supervisors) 6:30 PM

15. ADJOURNMENT

Vice Chair Thomas Weaver made a motion to adjourn the meeting at 9:21 PM, seconded by Supervisor Don Knight. Approved Vote 5-0

Respectfully Submitted:

Angela Pabon, Secretary/Treasurer