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

BOARD OF SUPERVISORS REGULAR MEETING MAY 18, 2020

Chair Charlotte Shaffer called the meeting to order at 6:40 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

Virginia Thorton, Gannett Fleming Engineer, was not in attendance.

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 May 18, 2020 from 5:36 p.m. to 6:33 p.m. the Board held an executive session to discuss matter covered under section 708, 4 and 5 of the Sunshine Act to consult with the Solicitor on various matters and to discuss and review agency business subject to a lawful privilege.

1. **Minutes**
   Vice Chair Thomas Weaver made a motion to approve the April 20, 2020 Regular Meeting Minutes seconded by Supervisor Louann Boyer. Approved Vote 5-0

2. **Public Comment for agenda items**
   All public comment was received through Facebook.

   Jennifer Storm commented on the issuing of yard sale permit in relation to the stay-at-home order being lifted. Chair Charlotte Shaffer responded that although this is not an agenda item, she has it noted to discuss with the Solicitor. Solicitor Tim Shultis added as we move to yellow, we will have to develop a plan on how to handle activities that are going to be permitted.

   James Strong, an Attorney with the law firm McNees Wallace & Nurick, commented on his representation of the owner of the Klunk Farm property, Racehorse Road LLC. He commented on a letter which was sent to the township expressing their opposition to any proposal to rezone the property from R-1 to Agricultural. Solicitor Tim Shultis advised the township did receive the letter and we will need to coordinate.

   Kelly McKee commented that she filled out a volunteer application and would like to be considered for the Zoning Hearing Board.

3. COMMUNICATIONS AND INTERACTIONS

The SAVES April report was enclosed in the packet for review. Vice Chair Thomas Weaver recognized National EMS Week and showed appreciation for local EMT personnel.

A correspondence dated May 4, 2020 from Grant Township was included in the packet for review.

A correspondence dated May 7, 2020 from York Adams Tax Bureau was included in the packet for review. Vice Chair Thomas Weaver commented regarding the lack of Earned income taxes due to COVID-19 business closings and its effect on Township income.

Two emails from Advanced Disposal, the township trash hauler, were included in the packet for review. One was related to issues the Advanced Disposal employees are having during pick-up and the other was related to an anticipated date of June 1, 2020 for bulk pick-up to resume.

The Preserves sent a request to the Township for signage at the park in regards to ticks and Lyme Disease. Discussion on possible methods of posting included a bulletin board, a boarded door on an existing building, and the website and Facebook page.

REPORT FROM COMMITTEES/SUPERVISOR'S COMMENTS

Administration

Supervisor Louann Boyer made a motion to bond Angela Pabon at $750,000.00, seconded by Supervisor Thomas Klunk. Approved Vote 5-0

Vice Chair Thomas Weaver made a motion to approve Carly Forbes, who has successfully completed her probation as of April 30, 2020, to a full-time permanent employee, seconded by Supervisor Don Knight.
Discussion occurred affirming an evaluation had been completed. Approved Vote 5-0

Vice Chair Thomas Weaver made a motion to approve Weber to administer the HRA at $904.00 per month until the end of the year, seconded by Supervisor Louann Boyer.
Discussion occurred regarding the price for Weber to administer the HRA, cost for training an employee, consistency and time. Approved Vote 5-0

Discussion took place regarding moving the Public Safety and Finance/Operations meetings to the evening. Vice Chair Thomas Weaver proposed an agenda setting meeting in the evening involving all committees. Chair Charlotte Shaffer expressed concerns with having the meeting in the evenings in regards to township employee schedules, comp time, the attendance of professionals like the Township Engineer and Solicitor and the ability for 2nd shift residents to attend an evening meeting. Supervisor Louann Boyer commented on prior reasons for morning meetings, live streaming and transparency. After discussion, Vice Chair Thomas Weaver suggested leaving the schedule as it is for the time being and reevaluating later.

Vice Chair Thomas Weaver suggested a proposal for an RFP for a professional planner to update the Comprehensive Plan. The cost for Salzmann Hughes to write a request for proposal for a professional planner would be $150.00 per hour and would take about 10 to 15 hours. He discussed the importance of the Comprehensive Plan in regards to land use and the importance of public input.

Vice Chair Thomas Weaver made a motion to enter into an agreement to start the process of updating the comprehensive plan with a request for proposal prepared by Salzmann Hughes. The motion died due to the lack of a second.

Vice Chair Thomas Weaver asked what is the next step if the Board is not willing to obtain a professional planner.

Dave Arndt, Zoning/Code Enforcement Officer, commented regarding the updating which already occurred on the Comprehensive Plan. He advised there were updates that were needed to the Comprehensive Plan but not changes that entailed changing whole sections. Many of those updates already occurred with the involvement of public Planning Commission meetings, staff and engineering. Vice Chair Thomas Weaver questioned the involvement of the community in those updates and expressed the need for more community involvement in the updating of the Comprehensive Plan. Discussion occurred regarding the budget for the Comprehensive plan, plans to get the community involved, the role of a professional planner and cost related, recommended frequency of updating the plan and the purpose of the RFP.

Vice Chair Thomas Weaver advised that if the community wants to stop the bypass, we have to control the land use which begins with planning.

Chair Charlotte Shaffer recommended getting answers for unanswered questions and waiting for the county to be in green so the public can be involved.

Discussion occurred regarding the Manager's Ordinance and changes that were addressed in the ordinance including qualifications, residency, the Manager's relationship with the Police Department, making it gender neutral and the procedural limitations on the Board of Supervisors with respect to managing Township staff. Solicitor Shultis advised the Ordinance is prepared for advertisement. Chair Charlotte Shaffer advised she would like to see it in draft form before advertising and Solicitor Tim Shultis advised, at the direction of the Board, he will provide the draft ordinance with the revised items.

Vice Chair Thomas Weaver made a motion to advertise Ordinance 2020-A, Pretreatment Ordinance, seconded by Supervisor Louann Boyer. Approved Vote 5-0

Discussion took place in regards to sending a letter to Governor Wolf concerning COVID-19 and encouraging the opening of Adams County rather than doing a resolution. Vice Chair Thomas Weaver expressed concerns with this letter in regards to the state of emergency.

Supervisor Thomas Klunk made a motion to put the resolution in a letter to be addressed to the Governor and mailed, encouraging Adams County and Conewago Township to be open for business seconded by Supervisor Louann Boyer. Approved Vote 4-1
Vice Chair Thomas Weaver Opposed

Chair Charlotte Shaffer advised a volunteer application was received from Kelly McKee and discussion occurred. Chair Charlotte Shaffer opened up for any public comment regarding this motion. There was no public comment.

Supervisor Don Knight made a motion to appoint Kelly McKee to the Zoning Hearing Board, term ending December 31, 2023, seconded by Supervisor Thomas Klunk. Approved 5-0

STORMWATER

Supervisor Charlotte Shaffer advised the check amount that were approved at last month's meeting for the Blettner Basin Retrofit were to be as follows:

$300.00 to the Commonwealth of PA
$500.00 to the Adams County Conservation District Clean Water Fund
$2120.00 to the Adams County Conservation District

The amount for Adams County Conservation District was $2120.00, which was increased due to a difference in a square footage calculation, but originally announced as $1848.00.

PUBLIC SAFETY

The May 13, 2020 Public Safety meeting was cancelled.

4. REPORT FROM SECRETARY-TREASURER

Vice Chair Thomas Weaver made a motion to approve the Secretary/Treasurer's Report, seconded by Supervisor Thomas Klunk. 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 April 18, 2020 – May 15, 2020, seconded by Supervisor Louann Boyer. Approved Vote 5-0

5. REPORTS FROM DEPARTMENTS

Police

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

Chief Baumgardner advised the officers are all healthy and they have a good supply of personal protective equipment (PPE). Police Admin, Amber Eline, completed her 1 year and received her 1 year evaluation. Detective Snyder completed his 6 month probationary period in the Detective position on May 18, 2020. The Police Department had 178 calls for service and 30 traffic stops. Tactical firearms qualification took place from May 10th to the 13th and all officers passed. The Buckle up Program grant begins May 18th .

Supervisor Louann Boyer made a motion to approved Amber Eline as a full-time permanent employee, seconded by Supervisor Don Knight. Approved Vote 5-0

Supervisor Louann Boyer made a motion to accept Detective Snyder's completion of 6 months probation in the detective position, seconded by Supervisor Don Knight. Approved Vote 5-0

The meeting paused from 8:10 p.m. to 8:20 p.m. due to technical difficulties.

Township Solicitor Shultis

Vice Chair Thomas Weaver made a motion to accept and authorize the execution of the separation and release agreement with regard to Barbara Krebs, seconded by Supervisor Louann Boyer. Approved Vote 5-0

Vice Chair Thomas Weaver made a motion for the Solicitor prepare zoning maps changes and authorize an advertisement to change tracts off Oxford Avenue and Hanover Road and Route 116 from residential back to agricultural on the zoning map. The motion died due to a lack of a second.

Discussion occurred regarding the 2009 Comprehensive Plan amendment, changing of the zoning map, public hearings and tabling of the motion.

Vice Chair Charlotte Shaffer shared concerns of not being able to allow public comment under the COVID-19 restrictions. The board discussed postponing setting a hearing date until the public can participate due to the restrictions of being under the "Yellow Phase" and unable to accommodate the public. No hearing location was decided during the meeting.

Vice Chair Thomas Weaver made a motion to authorize the Solicitor to draft an ordinance in regards to rezoning Hanover Road and Route 116 from residential back to agricultural, notify appropriate agencies in preparation for the hearing date and once the mode and method is decided, the date will be advertised, seconded by Supervisor Don Knight.

Approved vote 4-1
Supervisor Louann Boyer voted against

Maintenance Department

Scott Small, Maintenance Manager, advised the Maintenance Department reported work is scheduled for May 20th on the preemption device located at route 116 and Centennial Road. The Poplar Street project is ahead of schedule and tentative to be paved May 21 and May 22 depending on the weather.

Municipal Authority

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

Township Engineer (Virginia Thorton, Gannett Fleming, Inc.)

Zoning/Code Enforcement Officer, Dave Arndt, gave a review of Virginia Thorton's Engineer Report for April.

Vice Chair Thomas Weaver made a motion to authorize the advertisement for the bids for the Plum Creek Community Park which includes small gravel parking area and access road, the half basketball court, picnic grills, horseshoe pits, larger paved parking, sidewalks, pavilion and stormwater facilities for a bid opening in July, seconded by Supervisor Louann Boyer. Approved Vote 5-0

6. CODE ENFORCEMENT

Zoning/Code Enforcement Officer, Dave Arndt, reviewed his monthly report, dated May 14, 2020.

Yard waste pick-up is scheduled for June 3rd and 4th, 2020 and will be picked up during your regular trash pick-up day.

7. SUBDIVISION/LAND DEVELOPMENT

There was no Planning Commission meeting held for May.

Supervisor Don Knight made a motion to authorize the Township Solicitor to advertise for the Chapter 83, Flood Plain Management Ordinance amendment for the June meeting, seconded by Supervisor Louann Boyer. Approved Vote 5-0

8. ZONING

Zoning/Code Enforcement Officer, Dave Arndt advised Zoning Hearing Board case 4-2020 is pending due to the meetings being closed to the public and cannot be live streamed due to needing to be present to provide testimony pertaining to the case.

9. <u>Public Comment</u>

All public comment was received through Facebook.

William Popovich expressed opposition on the suggestion to obtain of a professional planner for the Comprehensive Plan update and its cost. He asked where from this idea came.
Chair Charlotte Shaffer explained the need for a Comprehensive Plan update and Vice Chair Thomas Weaver commented he will speak to Mr. Popovich regarding this update.

Linda Swift expressed agreement with community involvement on the Comprehensive Plan update but questioned the expense of a professional planner and how out dated is the plan? She also asked if there was a professional planner prior.
Vice Chair Thomas Weaver responded that this is only a proposal for an RFP and if it is too expensive, the Board does not have to choose any. Supervisor Boyer advised there was a professional planner used in the 2008 update of the Comprehensive Plan.

William Popovich commented on public comment with no public present and advised they table appointing a member to the Zoning Hearing Board and emphasized in another time to table items due to the handicap of the public not being able to attend the meeting.

Pat Sheaffer asked if the next Planning Commission meeting would be open to the public.
Supervisor Louann Boyer responded they will need to find out more information on whether the meeting will be open to the public but it will be live streamed.

Leonard Stiffler thanked the Board for solving the sound issue and live streaming the meeting. He advised the Board that he wrote a letter to the township requesting a street light on Oxford Avenue.

William Popovich commented on Pennsylvania going green in relation to COVID-19.

Rebecca Smith of Centennial Road asked when a decision will be made on the Eisenhower Extension. Chair Charlotte Shaffer advised there is a delay with PennDOT and no date announced for their open house. PennDOT must also have a public hearing and until we are green, they would not be able to have the hearing. She encourage the resident to contact PennDOT directly.

Dave McAnall, owner of 126 acres along Oxford Avenue which were discussed during the April Board of Supervisors meeting, commented on the zoning change regarding properties that were changed from Agriculture to R1. He asked the Board to look at the 2009 Comprehensive Plan amendment, for consistency with the previous zoning change, before considering an amendment to the zoning of this property.

Leonard Stiffler and Michael Jay commented on suggestions of where to have a public hearing for the zoning of properties back to agricultural from R1.

Pat Sheaffer asked which tracts of land they were referencing in the zoning change. Vice Chair Thomas Weaver replied the Klunk, Murren, SAVES, Rittase and Ashraf properties.

James Strong, an Attorney with the law firm McNees Wallace & Nurick, reiterated their opposition to any proposal to rezone the Klunk Farm property from R-1 back to agricultural.

The Board unanimously adjourned to an executive session at 9:00 p.m. to discuss matter covered under section 708 (a)5 and under (a)1 regarding personnel and to review and discuss agency business subject to a lawful privilege.

The Board of Supervisors unanimously voted to adjourn the Executive Session at 9:36 p.m.

The regular meeting reconvened at 9:36 p.m.

Chair Charlotte Shaffer opened up for public comment.

Ted Bortner provided comment on the rezoning of the property of next to the township building off Oxford Avenue.

Chair Charlotte Shaffer advised the Police Pension meeting will be live streamed and Supervisor Don Knight is on the Police Pension Committee.

MEETING SCHEDULE

May 20, 2020 (Police Pension Meeting) 10:00 AM
June 3, 2020 (Zoning Hearing Board) 6:00 PM
June 4, 2020 (Planning Commission) 6:00 PM
June 10, 2020 (Public Safety Committee) 8:30 AM
June 10, 2020 (Finance/Operations) 9:30 AM
June 15, 2020 (Workshop) 5:30 PM
June 15, 2020 (Board of Supervisors) 6:30 PM

10. ADJOURNMENT

Vice Chair Thomas Weaver made a motion to adjourn the meeting at 9:40 p.m., seconded by Supervisor Don Knight. Approved Vote 5-0

Respectfully Submitted:

Angela Pabon, Assistant Secretary/Treasurer