

**West Donegal Township
Board of Supervisors Meeting
September 12, 2016**

The regular meeting of the Supervisors was held at 7:00 p.m. at the Township Municipal Building. Chairman, Roger Snyder called the meeting to order with the following Supervisors in attendance: Doug Hottenstein, Philip Dunn, John Yoder, and J. Clair Hilsher. Also in attendance were Zoning Officer, Wayne Miller, Township Manager, Gene Oldham, Township Roadmaster, Todd Garber, Office Manager, Jennifer Rabuck, and Township Solicitor, Josele Cleary. Mark Mayberry, Chief of NRLCPD, was absent.

- I. **Call Meeting to Order**
- II. **Pledge of Allegiance, Silent Prayer, Tape Announcement**
- III. **Roll Call of Supervisors** – all of the Supervisors were present.

It was noted that there was an executive session prior to the meeting to discuss an agreement and a memorandum of understanding.

- IV. **Approval of the August 8, 2016 Meeting Minutes (August Workshop was cancelled)** – Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the August 8, 2016 meeting minutes. Motion approved unanimously.
- V. **Public Comments** – Ralph Horne – Mr. Horne asked if the township could do anything about the condition of the property located at 521 Turnpike Road. Discussion regarding the condition of the property was held.
- VI. **Reports** – Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the monthly reports. Motion approved unanimously.
- VII. **Actions**
 - A. Approve/Reject the proposal from White, Rudy & Company, LLC for a Program Specific Audit – Newville Road Bridge Replacement Project. The fee of \$6,000 remains the same. Change from a cash basis to accrual basis. – Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the proposal from White, Rudy & Company, LLC for a Program Specific Audit – Newville Road Bridge Replacement Project. Motion approved unanimously.
 - B. Approve/Reject the Audit of the Financial Statement of the Federal Aid Highway Program of West Donegal Township, Newville Road Project, prepared by White, Rudy & Company LLC, dated August 18, 2016. – Moved by Supervisor Yoder, seconded by Supervisor Hilsher to approve the Audit of the Financial Statement of the Federal Aid Highway Program of West Donegal Township, Newville Road Project, prepared by White, Rudy & Company LLC, dated August 18, 2016. Motion approved unanimously.
 - C. Approve/Reject an Extension of Time for Stoneybrook Phase 1C for review until March 8, 2017. – Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the Extension of Time for Stoneybrook Phase 1C for review until March 8, 2017. Motion approved unanimously.
 - D. Approve/Reject RGR Developer, LP reduction in Escrow No. 2 for Stoneybrook Phases 1A and 1B in the amount of \$507,012.84, retaining \$341,388.08 for remaining work (WDT 13-03). – Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the request from RGR Developer, LP reduction in Escrow No. 2 for Stoneybrook Phases 1A and 1B in the amount of \$507,012.84, retaining \$341,388.08 for remaining work (WDT 13-03). Motion approved unanimously.
 - E. Approve/Reject a waiver of sidewalk fees for property owners who voluntarily comply with the request to repair their sidewalks. – Moved by Supervisor Yoder, seconded by Supervisor Hottenstein to approve the waiver of sidewalk fees for property owners who voluntarily comply with the request to repair their sidewalks. Motion approved unanimously.

- F. Approve/Reject the Contract Waste and Recyclable Materials Collection bid of Waste Management of Pennsylvania, Inc. in the amount of \$105.24 per unit. – Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the Waste and Recyclable Materials Collection bid contract of Waste Management of Pennsylvania, Inc. in the amount of \$105.24 per unit. Motion approved unanimously.
- G. Approve/Reject the Reconciliation Agreement of August 10, 2016 as prepared by the Pennsylvania Human Relations Commission regarding Lisa Bailey. – Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the reconciliation agreement of August 10, 2016 as prepared by the Pennsylvania Human Relations Commission regarding Lisa Bailey. Motion approved unanimously.
- H. Approve/Reject the Memorandum of Understanding between Lisa Bailey and West Donegal Township signed on August 10, 2016. – Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve Memorandum of Understanding between Lisa Bailey and West Donegal Township signed on August 10, 2016. Motion approved unanimously.
- I. Approve/Reject the request by Donegal Woods, LLC for Escrow Reduction No. 2 for Donegal Woods Phase 1B (WDT 13-04) in the amount of \$76,152.83 retaining \$79,728.71 for items yet to be completed. – Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve the request by Donegal Woods, LLC for Escrow Reduction No. 2 for Donegal Woods Phase 1B (WDT 13-04) in the amount of \$76,152.83 retaining \$79,728.71 for items yet to be completed. Motion approved unanimously.
- J. Approve/Reject a request for Donegal Woods, LLC for an Escrow Reduction No. 11 for Donegal Woods Phase 1A (WDT 10-07) in the amount of \$41,241.67 retaining \$130,597.39 for items yet to be completed. – Moved by Supervisor Yoder, seconded by Supervisor Dunn to approve a request for Donegal Woods, LLC for an Escrow Reduction No. 11 for Donegal Woods Phase 1A (WDT 10-07) in the amount of \$41,241.67 retaining \$130,597.39 for items yet to be completed. Motion approved unanimously.
- K. Approve/Reject a waiver request of Section 190-50 Financial Security of Masonic Village regarding their Sanitary Sewer Relocation MH 44-5 to MH-15 to allow the Minor Earth Disturbance Plan to proceed without financial security. – Moved by Supervisor Dunn, seconded by Supervisor Hilsher to approve a waiver request of Section 190-50 Financial Security of Masonic Village regarding their Sanitary Sewer Relocation MH 44-5 to MH-15 to allow the Minor Earth Disturbance Plan to proceed without financial security. Supervisor Yoder recused himself do to a conflict of interest. Motion carried.
- L. Approve/Reject a tax refund of \$135.05 to Jesse and Shelly Baker of 2050 Turnpike Road due to a change in assessment of the property. – Moved by Supervisor Yoder, seconded by Supervisor Hottenstein to approve a tax refund of \$135.05 to Jesse and Shelly Baker of 2050 Turnpike Road due to a change in assessment of the property. Motion approved unanimously.
- M. Approve/Reject the following for Masonic Village Landscape Maintenance Building WDT 16-08.
1. Waivers/Modifications
 - a. Section 200-13 – Preliminary Plan
 - b. Section 200-19 – Traffic Impact Study
 - c. Section 200-35.S(5) - Access Drive Width
 - d. Section 200-36-C(1) – Curb Requirement
 - e. Section 200-35.N(2) – Distance Between Centerline of Streets with conditions
 - f. Section 200-35.S(6) – Horizontal Alignment of Cartway
 - g. Section 198.36 – Riparian Corridor Easement with Conditions
 2. Preliminary/Final Land Development Plan for Landscape Maintenance Facility Relocation.
 3. Signature on the Sewage Facilities No Planning Request.
 4. Signatures on the plan when all conditions have been met.
 5. The signing of the Stormwater Management Agreement and Declaration of Easement when

complete.

6. The acceptance of a Land Development Agreement when complete.
7. The establishment of Financial Security in the amount of \$435,346.30.
8. Grant an extension of time to review and record the project until January 10, 2017.
9. Approvals shall be subject to the Township Engineer's letter of September 7, 2016 and the Solicitor's letter of August 3 and September 6, 2016.

Moved by Supervisor Dunn, seconded by Supervisor Hottenstein to approve the request from Masonic Village Landscape Maintenance Building project WDT 16-08; items 1 through 9, as indicated above. Supervisor Yoder recused himself due to a conflict of interest. Motion carried.

- N. Moved by Supervisor Dunn, seconded by Supervisor Hottenstein to approve the issuance of an earth disturbance permit to Masonic Village once the NPDES approval is received to allow earth moving to begin. Supervisor Yoder recused himself due to a conflict of interest. Motion carried.
- O. Manager Oldham stated that Public Works Employee Troy Montgomery has completed his one year anniversary evaluation and believes that Troy is doing a great job. He has recommended a \$1.00 per hour raise. Moved by Supervisor Yoder, seconded by Supervisor Hottenstein to approve a \$1.00 per hour raise for Troy Montgomery effective September 4, 2016. Motion approved unanimously.
- P. Moved by Supervisor Yoder, seconded by Supervisor Dunn to authorize Code Enforcement/Zoning Officer Wayne Miller to send an enforcement notice to the owner of 521 Turnpike Road. Motion approved unanimously.

VIII. Discussion Items

- A. Stormwater 250-262 Poplar Lane – Manager Oldham noted that the property owners are working together and will be meeting with a contractor to address the issue.
- B. Fire and rescue Committee met with the Fire Departments on August 31st.
- C. Halloween Trick or Treat will be held on Monday, October 31st from 6 pm to 8 pm.
- D. West Donegal Township Non-Uniformed Employee Pension Plan 2017 Minimum Municipal Obligation is \$21,172.50.
- E. Pennsylvania Municipalities Pension Trust requires an election of one member to the Board of Trustees. The profile of Michael E. Keller is presented for your review and future approval via ballot.
- F. Maytown Road sidewalk and curb project – Manager Oldham noted that the Township is working with the Elizabethtown Borough and Hanover Engineering on the project. There are two proposed plans; 1) includes a grass strip and the majority of the telephone poles to stay where they are and 2) one that does not include a grass strip and moves the telephone poles. Manager Oldham noted that they are looking to proceed with plan (1) that has a grass strip.
- G. On-Lot Sewage Disposal System Maintenance Requirements – District 2 – Manager Oldham noted that Solicitor Cleary sent out three letters pertaining to noncompliance. As of date, only one has not contacted the Township.

Moved by Supervisor Yoder, seconded by Supervisor Dunn to authorize Solicitor Cleary to send an enforcement action letter to the owner of 1715 Bainbridge Road regarding their noncompliance with the on-lot sewage disposal system maintenance requirements. Motion approve unanimously.

- H. Moved by Supervisor Yoder, seconded by Supervisor Hilsher to accept the resignation of Del Becker from the Elizabethtown Area Water Authority. Motion approve unanimously.

- I. Manager Oldham noted that the township received a written complaint regarding the conditions of the property at 6185 Poplar Path.

Moved by Supervisor Yoder, seconded by Supervisor Dunn to authorize Code Enforcement/Zoning Officer Wayne Miller to send an enforcement notice to the owner of 6185 Poplar Path. Motion approved unanimously.

- J. Manager Oldham stated that the West Donegal Township Planning Commission reviewed the mini cell tower proposed ordinance and would like to see added that the companies that install the mini cell towers be required to submit a certificate of insurance to the township. He stated that the ordinance will be advertised and ready for approval at the October meeting.

Manager Oldham stated that the first draft of the budget has been given to each of the supervisors. Supervisor Yoder stated that they will plan to have a workshop meeting in October to discuss the budget.

- X. **Executive Session** – there was no need for a second executive session.
- XI. **Bills Payable (Final Unpaid List)** – Moved by Supervisor Yoder, seconded by Supervisor Hottenstein to approve the bills payable. Motion approved unanimously.
- XII. **Adjourn** – Moved by Supervisor Yoder, seconded by Supervisor Hilsher to adjourn the meeting at 7:56 pm. Motion approved unanimously.

Prepared by Jennifer Rabuck for

Philip Dunn, Secretary