

**West Donegal Township Supervisors  
Board of Supervisors Meeting  
July 13, 2015**

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: John Yoder, Ralph Horne, J. Clair Hilsher and Douglas Hottenstein. Also in attendance were Zoning Officer Wayne Miller, Township Manager Gene Oldham, Chief of Northwest Regional Police Department Mark Mayberry, Road Master Todd Garber, and Township Solicitor Josele Cleary.

- I. **Call Meeting to Order**
- II. **Pledge of Allegiance, Silent Prayer, Tape Announcement**
- III. **Roll Call of Supervisors** – All Supervisors were present.
- IV. **Approval of the June 8, 2015 Board of Supervisors Meeting Minutes** – Motion by Supervisor Horne/Supervisor Yoder to approve. Motion carried.
- V. **Public Comments** – Marie Martin of 996 West Ridge Road asked for additional information regarding the article in the Elizabethtown Advocate regarding one of the Northwest Regional Police Department Officers and District Justice Jane Duncan. Supervisor Yoder recommended that she attend the Police Commission on July 28 as the Supervisors did not have answers to her questions. She also reiterated her concern about the steep drop-off of the park to be created in the new StoneyBrook development. Township Manager Gene Oldham stated that the pile of ground is being stockpiled and is not the actual height of the park.
- VI. **Reports** – All reports were approved as submitted (subject to audit). Motion by Supervisor Yoder/Supervisor Horne to approve. Motion carried.
- VII. **Executive Session** An executive session was held prior to the meeting.

The following decisions were approved:

1. On a Supervisor Hottenstein/Supervisor Yoder motion, employment was offered to Troy Montgomery Sr. as a Senior Equipment Operator at a rate of \$19.00 per hour. Motion carried.
2. On a Supervisor Hottenstein/Supervisor Yoder motion, employment was offered to Marvin Teter, Jr. as an Equipment Operator at a rate of \$18.00 per hour. Motion carried.

**VIII. Actions –**

- A. Approve/Reject the following regarding the Major Land Development Plan for Wenger's Feed Mill, Inc., 267 Heisey Quarry Road, WDT 15-02.
  1. Approve/Reject a waiver of Section 190-32.A-C – Loading Ratio.
  2. Approve/Reject a waiver of Section 190—33 – Rate Control.
  3. Approve/Reject a waiver of the Major Land Development Plan for Wenger's Feed Mill, Inc., dated May 19, 2015, subject to the Engineer's letter of May 26, 2015 and the Township Solicitor's letter of January 29, 2015.
  4. Approve/Reject the signing of the Stormwater Management Agreement and Declaration of Easement.

5. Approve/Reject the establishment of Financial Security in the amount of \$41,614.50.

6. Approve/Reject the signatures on the plan when all conditions have been met.

Mr. Todd Smeigh of D.C. Gohn was available to explain the plan details. He stated that the original Major Land Development Plan for Wenger's Feed Mill at this location was approved in 2005. The proposed additional impervious area is to provide turnaround for the trucking operations.

Supervisor Horne/Supervisor Hottenstein motioned to approve items no. 1 through no. 6. Motion carried.

- B. Approve/Reject a Change Order from Mid-State Mechanical Electrical in the amount of \$1,210.68 for HVAC drops to the upstairs restrooms. Motion by Supervisor Horne/Supervisor Yoder to approve. Motion carried.
- C. Approve/Reject the request of the Elizabethtown Public Library for \$2,000 for start-up to establish local finger printing services. After a brief discussion, it was decided to table this action item. Township Manager Gene Oldham will send a letter to the Library asking them to provide a presentation of their request to Board of Supervisors' at the August meeting.
- D. Approve/Reject the advertisement to amend the Code of Ordinances to restate and amend Chapter 195, Streets and Sidewalks, in its entirety. Township Manager Gene Oldham indicated that additional material had become available and would need to be reviewed. Therefore, this action item was tabled.
- E. Approve/Reject the preparation and advertisement by Township Solicitor Cleary of the final document regarding changes to the Zoning Ordinance for approval at the August Board of Supervisors' meeting. Supervisor Hottenstein questioned the definition of "Farm" as consisting of 25 acres. Wayne Miller explained that many of the farms were non-conforming use and were grandfathered in after 1979 when the ordinance was established. Motion by Supervisor Yoder /Supervisor Horne to approve. Motion carried.
- F. Approve/Reject the Solicitor to prepare the Second Hand Dealers Ordinance and advertise the ordinance. This will follow the Ordinance prepared for Mount Joy Township. Motion by Supervisor Horne/Supervisor Yoder to approve. Motion carried.
- G. Approve/Reject the appointment of Todd Garber to the Elizabethtown/West Donegal Township/Mount Joy Township Zone Emergency Management Agency completing the year in lieu of Jeff Templin, Sr. Motion by Supervisor Horne/Supervisor Yoder to approve. Motion carried.
- H. Approve/Reject the Martins Paving quote for Bossler Road Base Repair in the amount of \$18,636.60. Motion by Supervisor Yoder/Supervisor Horne to approve. Motion carried.
- I. Approve/Reject the Newville Road Paving Bid of Pennsy Supply in the amount of \$86,480.35. Motion by Supervisor Horne/Supervisor Hottenstein to approve. Motion carried.
- J. Approve/Reject the Micro-surfacing Repair Bid of Stewart & Tate, Inc. in the amount of \$29,966.70. This was the only bid submitted. Township Manager Gene Oldham talked with our PennDOT representative who explained we could award the bid if the Township considered it a reasonable bid. Motion by Supervisor Yoder/Supervisor Horne to approve. Motion carried.
- K. Approve/Reject transfer of \$200,000 from the General Fund to the Capital Reserve Fund and revise the 2015 budget to reflect an additional \$100,000 transfer. Motion by Supervisor Yoder/Supervisor Hilsher to approve. Motion carried.

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- L. Approve/Reject the Change Order from Shannon A. Smith, Jr. in the amount of \$1,450.00 for the interior location of the gas service for the new generator. Motion by Supervisor Horne/Supervisor Yoder to approve. Motion carried.
- M. Approve/Reject fireworks display at Moonstone Manor on August 8, 2015. Motion by Supervisor Horne/Supervisor Yoder to approve. Motion carried.
- N. Approve/Reject fireworks display at Township property on August 4, 2015. Motion by Supervisor Horne/Supervisor Hilsher to approve. Motion carried.

#### IX. Discussion Items

- A. Fire Tax - Township Manager Gene Oldham explained the revisions since the last meeting. He said we are looking at a .27 mil tax based on this information. He recommended that the Board have a workshop in August to specifically discuss the fire tax. Since the Elizabethtown Fair opens on August 24, it was decided that we would meet Monday, August 31 2015. This rescheduled workshop date will be advertised.
- B. Rheems Fire Department Recognition Ordinance – Township Solicitor Cleary explained that the revisions that this ordinance broadens what a fire company can do as a government entity and usually the fire company is the one in the home municipality. After a brief discussion, a motion was made by Supervisor Yoder/Supervisor Horne for advertisement of this ordinance. Motion carried.
- C. National Night Out – August 4 from 6 p.m. – 9 p.m. – Township Manager Gene Oldham said that the Police Department will be selling model police cars for \$25.00.
- D. Newville Road Bridge project – Township Manager Gene Oldham stated that construction was moving along as planned and the anticipated completion date is September 2015.
- E. Donegal Elizabethtown Area Appeals Board – replacement for Fran Bridge. This item was tabled.
- F. Eagle Disposal contract renewal for one additional year. It was agreed that Township Manager Gene Oldham would contact Eagle Disposal to seek their interest in renewing the contract for the second year.
- G. Growing Greener request regarding a proposed resolution regarding water quality. After a short discussion, it was agreed that the Township was not interested in participating in the Growing Greener request.
- H. Stop sign at Rutts Road and West Ridge Road. Supervisor Yoder recommended placing a sign “Approaching Traffic does not stop”. Roadmaster Todd Garber and Township Manager Gene Oldham will check with PennDOT for similar signs they may have available.
- I. West Ridge Road Bridge west of Miller Road. Roadmaster Todd Garber stated that the wingwalls of this wooden bridge are bowing out causing the roadway to kick out. Repairs will be made; however, Township Manager Gene Oldham said that we need to think about doing major work there in the near future. Bridge Fund monies may be available after the Newville Road Bridge project has been completed. The Miller Road wooden bridge does not need any repairs.
- J. Zoning Hearing Applications – Wayne Miller suggested discussing the two Zoning Hearing applications received today for the August 5, 2015 hearing.
  - 1. David Abel – There were questions and concerns from each of the Supervisors. Township Solicitor Cleary said she was understood that there would be a meeting of all parties to discuss and agree on

reasonable conditions prior to scheduling a Zoning Hearing. She stated that the Zoning Hearing Board has 60 days after receipt of the application to schedule the Zoning Hearing. She further stated that she suggests that the Board recommend to the Zoning Hearing Board that they wait to review this application at the September Zoning Hearing Board meeting.

2. 1285 West Ridge Road Property Change of Use request – After a brief discussion on the details of the Zoning Hearing application, Township Solicitor Cleary advised the Board to support a Use Variance rather than a Special Exception. She further advised them to share their opinion with the Zoning Hearing Board prior to the Zoning Hearing.
- K. Candace Abel Property located at 1610 Landis Road – Wayne Miller received information that Candace Abel is hosting special events on her property, which is a non-conforming use. Township Solicitor Cleary will send a letter stating that she needs to comply with the Zoning Ordinance and obtain a special exception from the Zoning Hearing Board to host such events
- X. **Bills Payable** – Motion by Supervisor Horne/Supervisor Yoder to approve with the exception of the payment to Mid-State Mechanical Electrical. Motion carried.
- XI. **Adjourn** – Motion by Supervisor Horne/Supervisor Yoder to adjourn the meeting at 8:40 pm. Motion carried.

Prepared by Wendy Cain for

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J. Clair Hilsher, Secretary

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