

**HOPEWELL TOWNSHIP
YORK COUNTY PA
BOARD OF SUPERVISORS
MINUTES FOR OCTOBER 1, 2015
MUNICIPAL BUILDING
7:00 PM**

Chairman Manifold calls the meeting to order at 6:59 p.m. and welcomes everyone to the October Board of Supervisors Meeting. The Pledge of Allegiance was said. Also in attendance were Supervisor Wisnom, Supervisor Wolf, Solicitor Andrew Miller, and Darlene Parker.

Approval of Minutes:

Supervisor Wolf motioned to approve the September 3, 2015 Board of Supervisors regular meeting minutes. Supervisor Wisnom seconded the motion. Motion carried unanimously.

Treasurer's Report/Invoices:

Supervisor Wolf motioned to approve the September 30, 2015 Treasurer's Report and previously approved invoices. Chairman Manifold seconded the motion. Motion carried unanimously.

Roads:

Chairman Manifold gave an update on the road projects. As there was a possibility of rain coming, the Road Crew has been cleaning drains and gutters, as well as doing preventative maintenance. The Orchard Road paving project was completed. DE Gemmill completed the line painting on the roads previously mentioned at the September BOS meeting.

In regards to the Jim's Road pipe project and repaving, Chairman Manifold stated they are waiting on permit approvals and hope to have final figures by next month.

In October, the road crew will be doing the final mowing of the road banks and crack sealing on various roads. They are starting tree trimming and prepping the equipment for winter time. Chairman Manifold asked for questions and there were none.

Subdivision/Land Development Plans:

Johnson Controls:

Josh Meldon, project manager, and Jordan Baughman were present for the Johnson Controls project. They are asking for permission to locate 3 job trailers because of the restrictions of the NPDES permit. They are trying not to impede on the site and not have to move the trailers more than the initial time. They are asking for permission to place the 3 trailers in the end of the cul-de-sac, which is beyond the last business. Chairman Manifold opens the discussion among the Board members. Supervisor Wisnom stated that he is fine with it. He requested that the Township needs to inspect the road beforehand and JCI would put it back

the same way. He stated if JCI damages the road, they must fix it. Chairman Manifold asked Solicitor Miller if that is something that can be part of the developer's agreement. Solicitor Miller responded by saying they are already doing an amendment to the JCI agreement to address HOP issues. They could also add a provision to address where the Township's maintenance and snow removal will end and JCI maintenance and snow removal begin while the trailers are there. He stated the proposal was that JCI would handle the snow removal and maintenance from the Dhicore, LLC driveway to the end of the cul-de-sac where the trailer would be. Secondly, JCI would have to repair and put the road back to its previous condition. Thirdly, add a cut-off date as to when the trailers have to be removed. It would state something like, prior to the issuance of an occupancy permit, the street would have to be repaired back to its condition prior to starting construction and the trailers removed. Josh Meldon, project manager for the lab, spoke up and stated it would be set up for the office building being a 12 month duration and the lab would be 26-28 months. He requested that the trailers be allowed to stay until completion of the lab building. He stated he believes they would move into the office in 12-13 months. Chairman Manifold asked if it would be a problem if they had it prior to the issuance of the occupancy permit, or would the trailer need to be there longer. Josh Meldon asked for 4 weeks after the occupancy permit as some sub trailers will need to stay around. Chairman Manifold stated within 30 days and Josh Meldon agreed. Supervisor Wisnom asked when JCI wanted to place the trailers and Josh Meldon responded with the week of October 19th, 2015. Supervisor Wisnom informed Josh Meldon they want to photograph the road first. Josh Meldon agreed that was ok, and continued on to say they would be removing the snow. He added that the trailers will be off to the side so traffic can still drive through. Supervisor Wisnom wanted to clarify that they will photograph before the trailers are on-site. He also wanted to clarify if they motion to approve the trailers prior to the signing of the Developer's Agreement, and JCI doesn't agree to the terms, the trailers will be removed. Supervisor Wolf clarified that the trailers will be removed 30 days after the occupancy permit and any damage being fixed within that time. Josh Meldon stated that would be difficult however, they can have them removed in 30 days and any damage fixed within 60 days. The Board voiced agreement. Chairman Wisnom motioned that JCI be able to move the trailers in, after pictures of the road are taken, and these provisions get added to the agreement. Chairman Manifold seconded the motion. Motion carried unanimously. Josh Meldon left a card with his information.

Solicitor's Report

Ordinance 2-2013:

Solicitor Miller stated that the amendments from the Hopewell Planning Commission were sent to YCPC. The YCPC has it on their agenda for review at the meeting for October. It has not been reviewed yet and probably will be by the next meeting. The Board chose not to review anything until all the comments came back. The Ordinance has not yet been advertised.

Floodplain Regulations:

Solicitor Miller discussed that FEMA is required municipalities to update their floodplain ordinance. The issue for Hopewell is that the PEMA consultant that was reviewing their ordinance is no longer doing so due to the state budget impasse. Hopewell Township is no longer likely to get any comments back on their ordinance. Solicitor Miller stated he has comments from other townships' ordinances and their changes and he had been going off of those to update Hopewell Township's ordinance. One of the biggest changes for Hopewell's ordinance is having to designate a floodplain administrator. He stated he thinks Keith Hunnings is doing this in some of the other municipalities he serves as a Zoning Officer for and will probably do so for Hopewell Township. It would require a written agreement with that party if that party is contracted. Keith Hunnings may have to present an agreement that would name him in that capacity for the Township's approval. Solicitor Miller recommended the Township adopt the updates and amendments with the codification and have a resolution at the same time making the appointment. In the ordinance, it would be provided that the Township designate an alternate Floodplain Administrator by resolution. Solicitor Miller asked if the Township is ok with Keith Hunnings as Floodplain Administrator and who or what position they would like to designate as the alternate. Chairman Manifold asked what the Floodplain Administrator does. Solicitor Miller stated the Floodplain Administrator would review the plans for any structures or land use permits issued in a floodplain. They would be responsible for issuing the land use permit for construction in the floodplains and doing the inspection. This is similar to what they would do now for a building permit being issued under the zoning ordinance. Chairman Manifold recommended they ask the Township Engineer or Commonwealth Code Inspectors if they want to do it as an alternate. Solicitor Miller was not sure if the Commonwealth Codes was doing that or not. He stated he could make the calls to Pete Schilling and Martin and Martin and asked if they would be willing to serve in that capacity. He stated that they would appoint South Penn Codes as the administrator so Keith's assistant would most likely be available if Keith was not. It's unlikely the designated alternate would come into play. Solicitor Miller asked their thoughts on the administrators. Chairman Manifold stated South Penn as Floodplain Administrator and Commonwealth or Martin and Martin as the alternate. The rest of the Board agreed.

Solicitor Miller stated there were other changes, such as inspection and the authority of the Floodplain Administrator. The Floodplain Administrator should be looking at the history of repairs and construction on the property and any buildings involved. They are supposed to consider the building code requirements, which he stated overlap. The FPA must consider and confirm that all the permits required with DEP, FEMA, and DCED had been done. He stated there is a requirement that any new regulated activities, defined as land development or subdivision in the Ordinance, must have a hydrologic and hydraulic analysis. They have to provide more background and engineering analysis regarding the risk of floods.

There are additional provisions that apply specifically to subdivisions and land development plans. They apply to at least 50 lots or 5 acres, whichever is less. There are specific requirements regarding RVs, to make sure they aren't

parked permanently in floodplains. They must be on site fewer than 180 consecutive days, fully licensed, and ready for highway use.

There were some definitions added to the ordinance. Solicitor Miller stated that is the minimum in the updates, however, they should be sufficient to meet the requirements of FEMA. They are not adding or changing types of construction that were prohibited in the floodplains. Solicitor Miller proposed that they have Keystate Publishers incorporate the changes into the codification and adopt it when they adopt the codification. Solicitor Miller asked if anyone had any questions.

Supervisor Wolf stated that he had a problem with the hydraulic and hydrologic studies ahead of time. Solicitor Miller stated that would be required to get a land use permit. Supervisor Wolf doesn't think anyone will develop under these standards. Solicitor Miller stated this only applies to the floodplain areas, but it will make it harder to develop in a floodplain area. Supervisor Wisnom clarified that this only applies to a floodplain, and not outside. Solicitor Miller confirmed. Chairman Manifold stated there are very small areas in the Township within the floodplain. Solicitor Miller stated in order to be eligible for flood insurance and grant money if there was flood damage, the ordinance must be updated. It will increase the requirements to develop in a floodplain. It will also give the floodplain administrator things to look at, inspect, and review with the project. He stated with respect to the hydraulic and hydrologic studies, the standard is that it would not result in an increase in flood levels during an occurrence in base flood discharge, which he opined to be a vague standard. The engineers and FPA will have a fair amount of latitude to interpret the studies and the results. Solicitor Miller asked if there were any more questions. There were not and Solicitor Miller will have them incorporate into the codification.

Keystate Publishers:

Solicitor Miller stated he had a comprehensive set of comments and final changes to the code. FPA comments will go as well. In regards to the Motor Vehicle Ordinance, Solicitor Miller went through and marked up the representative who would be the designated official for certain things, such as the Roadmaster to regulate traffic and parking in a time of urgency. He stated they could review it again with the next draft of the code. Solicitor Miller had not sat down with anyone from the Township to review certain things in yellow, which were streets, no parking zones, weight limits, stop signs, traffic lights, speed limits. Solicitor Miller stated in regards to the speed limits, the police cannot enforce them without them being in the ordinance. The Board and Solicitor Miller recommended scheduling a time with Donnie to sit down and review. Solicitor Miller stated that some regulations do not exist in the Township but it is not necessary to remove them. If nothing is listed, it's because it doesn't apply. Solicitor Miller's goal is for the codification to be advertised and ready for adoption for December's meeting.

Trustees Insurance Services:

Solicitor Miller discussed the Township's renewal of short term disability and life insurance benefits and went on to review the Township's health insurance plan, as it is up for renewal on November 1, 2015. Solicitor Miller stated it budgeted in

the yearly Budget Approval, however, because of the renewal being in interim, he recommended it would be best to do a motion to authorize Darlene to renew the plan currently in effect. Chairman Manifold motioned to renew the health insurance with PA Chamber Insurance and the life insurance and short term disability with Trustees Insurance Services. Supervisor Wolf seconded. Motion carried unanimously.

Other Business:

Act 537 Update:

Chairman Manifold moved on to discuss the Act 537 compliance. The second round of letters went out for the area that was due a month ago. He discussed an issue that the residences along Bridgeview Road who are being required to hook up to public sewer will not happen until next year. Chairman Manifold opined that he doesn't believe they should be required to have risers put on and their systems inspected just to be removed later on. Only 9 residences have received letters that they have to hook up. However, the developer approached the Borough Sewer & Water interested in possibly running the water and sewer to require the remainder of houses to hook up, but nothing is in stone. He was told that he would have to pay the fees for all the residences that would have to hook up. Chairman Manifold motioned to exempt the residents of Bridgeview Road that are being required to hook up to public sewer (9 residences). Supervisor Wisnom seconded the motion. Motion carried unanimously. The percentage of compliance is 73% to date.

Budget Workshop:

Chairman Manifold set the Budget Workshop date for October 7, 2015 at 7:00 p.m.

Minimum Municipal Obligation:

Chairman Manifold moved on to the MMO to certify the employee pension plan for 2016. The 2016 contribution is \$33,595.00. The number is based off payroll and the multiplier used. Supervisor Wisnom motioned for the \$33,595.00 contribution. Chairman Manifold seconded. Motion carried unanimously.

Animal Control Services:

Chairman Manifold stated 2 requests were received to provide the Township services for 2016; one from Klug Animal Services and one from Alleged Care. Klug came in under Alleged and both would renew January 1, 2016. Klug is 18/hour and Alleged is \$48/hour, plus \$0.68/mile. Supervisor Wolf motioned to stay with Klug Animal Control. Supervisor Wisnom seconded the motion. Motion carried unanimously.

SPCA:

Chairman Manifold tabled the SPCA Membership Agreement to next month's meeting.

Russell Brocato:

Chairman Manifold received a few phone calls and emails from the resident of 704 Juli Drive. He was requesting an update on PennDOT's plans with Exit 4. Nothing has changed from the previous month.

Trick or Treat:

Chairman Manifold set the date for Trick or Treating for October 31, 2015 from 6-8 p.m.

Other:

Chairman Manifold stated that the Board has received a letter from Kathleen Davis. The letter is stated as follows:

“Board of Supervisors,

It is with regret that I inform you of my decision to resign from the Hopewell Township Planning Commission. At this time, I feel that I have neither the time nor the expertise to remain on the panel.

Thank you very much,
Kathleen.”

Chairman Manifold confirmed that will be submitted. Chairman Manifold motioned to accept the Letter of Resignation from Kathleen Davis. Supervisor Wisnom seconded the motion. Motion carried.

Public Comment:

Joe Shanaborough asked if they were going to give the other people on Bridgeview Road a one-year extension to pump their septic systems. Chairman Manifold stated they have quadrants that have parcels not on the same cycle. Most have had it done except for the 2 repossessed sheriff sales. At this time, Chairman Manifold does not think they should. Chairman Manifold asked for any other questions or concerns. There were none.

Chairman Manifold stepped down from the table to read a letter presented to him. He did not agree with the opinions of the letter, but he is reading it because the gentleman was not able to attend.

“Hopewell Township Board of Supervisors,

Last month I was here and asked the Board if they had a plan of where the Township is headed. The Chairman said they did but he did not elaborate. Things have happened, such as Pat Schaub “retiring” and Darlene Parker taking over the office; the office being closed on Wednesdays to the public while staff is in the office working.

Now I’m being told Darlene will take taxes at the township building at any time. Right now that is school taxes, which the School District

pays her to do. So, now she is collecting taxes at the township office and being paid by the School District and the township is paying her normal pay at the same time.

You also hired a part-time office person who can look after things while Darlene is collecting taxes and being paid by the citizens of Hopewell Township her regular pay. This is wrong. The citizens of Hopewell Township would never approve of this.

I don't like where we're headed. I think residents know nothing about a lot of things going on and won't know until it is too late.

I want this complete letter printed in the September 3, 2015 minutes and I want a copy of those minutes, when they are approved.

I could not attend tonight's meeting because I was obligated to attend the school district meeting tonight since I am a Board Member."

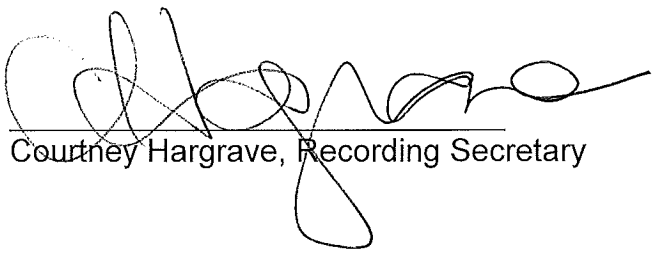
William T. Streett
16572 Barrans Road North

Chairman Manifold took his seat back at the table. Chairman Manifold stated that there are more misconceptions and incorrect statements than correct statements in the letter. He stated that Darlene Parker is an employee of the Township and he will not allow her to be personally bashed, which is why the letter was not read at the September 2015 meeting. Darlene is not being paid her regular pay while she is receiving taxes in the office. He stated that she is receiving taxes on her own time and that was known when she was hired. Chairman Manifold found it very upsetting that some people will not believe or accept what it is happening. Chairman Manifold asked for any other public comments. Ray Manifold stated that unless Mr. Streett was there to read the letter, it should be thrown out the door. He continued on to state that if Mr. Streett wanted to write a letter like that, he should have to be there to read it.

Chairman Manifold adjourned the meeting at 7:46 p.m.

Respectfully Submitted,

David Wisnom, Secretary



Courtney Hargrave, Recording Secretary