July 9, 2014 Board of Supervisors Meeting Minutes

Attending:
Joel Buckley, Chairman
Jay Brandt, Vice-Chair
Gary Painter, Supervisor
Jenna Seesholtz Dir. Admin.
Dolores Kuntz
Jon Yost, Solicitor
Max Shradley, Twp Engineer
Ralph Hoerner, ARM
Steve Todd, The Sun
Rosalie Sarfert
Joshua Weaber, Steckbeck
Kevin Freedman
Jody Fausnight
Carol Bibb
Beth Loose

Opening: Chairman Buckley called the meeting to order at 7:32 pm in the Municipal Building Conference Room with the Pledge of Allegiance to the Flag and a moment of silence.

Scheduled Events for the next month: PR 7/15, EITCC 7/16, COG 7/21 7PM, BoSws 7/23, PC 7/28, CMA 8/5 Canceled, CPZ 8/6 Canceled, BoS 8/13

Planning/Zoning Review

Historic Acres of Hershey - Chairman Buckley stated Jody Fausnight submitted a letter and a petition that was signed by several residents in regard to noise that could possibly come from the new facility proposed by Historic Acres. Buckley reminded only the Land Development Plan is reviewed, approved or denied by the Board, not the Zoning portion. The decision on Zoning comes directly from the Zoning Officer.

Historic Acres of Hershey - Traffic Study: Buckley asked Kevin Freeman, owner of Historic Acres of Hershey if the access driveway to Historic Acres property on Old Hershey Road is still open and used. Mr. Freeman indicated that this entrance is no longer used.

A motion by Buckley second by Painter to approve the scope of the traffic study as submitted by the applicant and recommended for approval by Township Engineer Rettew. Motion carried.

Historic Acres of Hershey - Waivers: The Township does not currently anticipate a need for sidewalks and curbs along Rt. 743 but would like to reserve the right to ask for the improvements in the future. Township Solicitor Yost will draw up necessary language in an agreement with Historic Acres for these improvements if requested in the future.

Public Comment on Historic Acres of Hershey:

Carol Bibb, Garden Court Resident: Ms. Bibb is concerned about noise that Historic Acres of Hershey may bring to this portion of the Township. Does the traffic study include day/evening collection times? Township Engineer Shradley stated the data collection for traffic study runs 24 hours a day for 7 days.

Jody Fausnight: In his correspondence to the Township, he would like to know if there is some consideration to the fact that the current proposed use constitutes a definite departure from the current use of the property. Chairman Buckley reminded that the Board makes no determination on the current use of the property rather this is done by the Zoning Officer. Applications have been submitted to the Township Zoning Officer and are currently being reviewed. Township Solicitor Yost differentiated
between the “change of use” which requires a review by the Township of the nature of the proposed business so that the Township is aware what is happening and “permitted use” which is the use of property allowed in a certain districts. Yost stated the current proposed change of use does fit within the commercial district. Fausnight wanted to be on the record that he does not think that anybody is opposed to operating a business he is asking if the new facility being proposed takes sufficient measure for noise and vibration controls. Yost reminded that this land development plan is still early in the process and there are several issues that have yet to be decided.

**Beth Loose - Garden Court Resident:** Ms. Loose is concerned about noise from the proposed facility. Chairman Buckley stated that Historic Acres of Hershey did propose a 10:30 PM deadline for music. Ms. Loose offered 9:00 PM as a reasonable restriction on noise. Jody Fausnight offered the solution of allowing an open air facility until 9:00 PM and close the three sides of the proposed building after 9:00 PM.

**Kevin Freedman - Owner of Historic Acres of Hershey:** Mr. Freedman states that he offered to plant trees on the property of Garden Court to act as a noise buffer. Ms. Bibb said the condominium association voted this down because the trees would be located on Garden Court’s property.

**Josh Weaber of SESI:** Mr. Weaber stated his firm, who is working for Historic Acres of Hershey, will take care of the Zoning Officer’s comments, complete the traffic study, secure the NPDES permit from DCCD and wrap up all issues related to this Land Development Plan before the next meeting.

**Routine Business:**

**Supervisors Minutes: June 11, 2014** - A motion by Brandt second by Painter to approve the June 11, 2014. Motion carried.

**Supervisors Minutes: June 25, 2014** - A motion by Brandt second by Painter to approve the June 25, 2014 minutes as submitted. Motion carried.

**Other Minutes:** Planning Commission Minutes of June 30, 2014 were received for review. No Park and Rec Minutes from the June 17, 2014 meeting were submitted.

**Treasurer’s Report – June 30, 2014:** A motion by Painter second by Brandt to approve the Treasurer’s Report dated June 30, 2014, subject to audit. Motion carried.

**Kreiser Escrow Certificate of Deposit:** Treasurer Kuntz reminded at the end of September, Robert Kreiser’s CD will require a renewal. Chairman Buckley stated that Mr. Kreiser is selling this property in which the escrow is being held. Solicitor Yost is in the process of drawing up an agreement to assign the agreement to the new owners. Director of Administration Seesholtz will contact Mr. Kreiser to get the name(s) of the new buyers so the new agreement can be drafted.

**Secretary’s Report:**

**Expenditure Report – July 9, 2014:** A motion by Painter second by Brandt to approve the Expenditure Report of July 9, 2014 in the amount of $28,893.05. Motion carried.

**Audits:** The Municipal Authority and the Township audit have been completed. Township Auditor Terry Whitmeyer will discuss the findings of the Township audit at the next workshop meeting.

**Correspondence and Communications:**

**Bleacher:** Director of Administration Seesholtz will send a letter to the Bleacher’s in regard to their water run-off complaint.
Oak Knoll Estates: Chairman Buckley will review the issues that were raised by Oak Knoll Estates in 2013 correspondence before the Board meets with their representatives. The Zoning Officer will be involved in this discussion.

Roadmaster’s Report:

Trees in the Township Right-of-way: A lilac tree on Roundtop Road and a tree at the corner of Chestnut and Rhodes must be trimmed. The Roadmaster will review and make contact with the homeowner’s to make them aware these trees will be trimmed to clear site distance.

Millings: There are currently 10 loads of millings near the Danny Fisher parking lot area. Roadmaster Brandt said millings may be used by the roadcrew for repairs on Deodate Road, Hertzler Road, Old Hershey culvert and Woodbine Drive repair.

A motion by Brandt for the roadcrew to stock pile stone/materials needed in the parking lot along Old Hershey Road. Motion dies for lack of a second.

Buckley is concerned that material may occupy both the Danny Fisher Field and the Old Hershey Road parking lot areas and would like to see one area chosen for storage. If both are utilized for storage, parking will be minimal for the upcoming Movie Night. Brandt does not want to create an unsightly area but states that the Township needs a place to store materials. Buckley agreed the Township needs a storage area but one place should be picked for storage and one for parking. This will be discussed at the next Workshop meeting.

Bridge Decking: Roadmaster Brandt will check with the other municipalities that were interested in the bridge decking. Township Resident Farver is indicated interest in purchasing some of the decking.

Old Hershey Road Culvert: ARM Hoerner will place additional “Road Closed” signage on Old Hershey Road. Traffic is going through the road closed signs and then turning around in residents driveways.

Chairman’s Report:

ARLE Grant Application: Chairman Buckley submitted the ARLE grant application requesting a grant of $122,000 for Old Hershey Guiderail project. The announcement of award is scheduled for late Summer or early Fall.

CFA (Commonwealth Financing Authority) Grant Application: The grant application is due July 21, 2014. Chairman Buckley is preparing/submitting a grant requesting monies for the shortfall on the Township Park Project. This application requires a formal resolution.

Resolution 2014-3 CFA Grant Application: A motion by Buckley second by Painter to approve submission of the grant application and designates Chairman Buckley as representative who will sign documents. Motion carried. A $100 check will also accompany this grant application.

DC Gaming Grant: The Township must file for County sponsorship by the end of July if the Township intends to submit a grant application. A motion by Brandt second by Painter to authorize Chairman Buckley to submit an application to DC Gaming for the Old Hershey Road Culvert Project. Motion carried.

Old Business

Park Bids Phase 2 Status: A preconstruction meeting was held Monday, July 7, 2014 with T.R. Stoner. A few cost saving suggestions were discussed. Construction to start Monday, July 14, 2014.

Old Hershey Culvert Update: The Township did receive the permit from DEP required to move forward with this culvert replacement project.
A motion by Buckley second by Painter to approve Chairman Buckley to secure three telephone quotes for the end walls and the pipe required for this project. Buckley will then get phone approval from the Supervisors to order materials. Motion carried.

A motion by Buckley second by Painter to approve Chairman Buckley to secure three telephone quotes for cost of excavation work for the culvert to see if it would be below bidding threshold. If not below bidding threshold, then authority for Rettew to prepare bid documentation as needed for excavating based on an hourly basis. Motion carried.

**Easement for Culvert:** A motion by Buckley second by Painter for Solicitor Yost to prepare necessary right-of-ways and easement documents for culvert construction. Motion carried.

**Traffic Light Battery Back-up:** This will be discussed at the Workshop meeting.

**Abandoned Vehicles:** Supervisor Painter will verify the status of the vehicles.

**Shelly - 743 Property:** Zoning applications were applied for and the Township Zoning Officer submitted a memo with his findings to the Township in regard to the current use of the property. Mr. Shelly was given a copy of the memo.

**Planning/Zoning Review**

**Martin Financial Security Release:** A motion by Buckley second by Painter to release Peter and Jennifer Martin’s remaining $1,000 Financial Security escrow. Motion carried.

**Conewago Elementary School:** Director of Administration Seesholtz will contact LDSD to find out the status of their financial security request and the status of the red light ownership.

**Office Closing:** The Township office will be closed Thursday, July 31, 2014 and Friday, August 1, 2014. A sign announcing the office closure will be placed on the door and listed on the website.

A motion by Painter to adjourn at 9:43 P.M. Second by Brandt. Motion carried

Submitted by Jenna Seesholtz, Director of Administration