

**CONOY TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES
Thursday
September 8, 2022**

A meeting of the Conoy Township Board of Supervisors was held on Thursday, September 8, 2022 at 7:00 p.m. at the Bainbridge Fire Company Hall, 34 South Second Street, Bainbridge, PA 17502. In attendance were Supervisors Mr. Justin Risser, Ms. Gina Mariani, Mr. Douglas Hawthorne, Mr. S. Jay Williams and Mr. Stephen Mohr; Secretary Ms. Shannon Sinopoli and Treasurer Ms. Jennifer Rabuck. Also in attendance was Solicitor Matthew Crème of Nikolaus and Hohenadel and Mr. Robert Lynn and Mr. Steve Dellinger of Hanover Engineering.

ORDER OF BUSINESS:

- I. The meeting was called to order by Chairman Risser at 7:00 p.m. followed by the Pledge of Allegiance, Prayer and a moment of silence.
- II. Mr. Risser conducted roll call.
- III. Announcements - none.
- IV. Mr. Risser asked for a motion on the August 11, 2022 Board of Supervisors meeting minutes. Motion by Ms. Mariani to approve the August 11, 2022 meeting minutes, seconded by Mr. Hawthorne. Motion approved 5-0.
- V. Public comment - none.
- VI. Consent Agenda Items:
 - A. Bills
 - B. Reports
 - i. Financial
 - ii. LCSWMA - Waste to Energy Plant (Incinerator) – July 2022 Host Fee \$62,769.45, 32,025.23 Tons at \$1.96/Ton processed. 2021 – 2022 comparison is available.
 - iii. Sewage Enforcement Officer
 - iv. Zoning Officer
 - C. Release of Financial Security for DDM Development, Inc. – Towns Edge Development Subdivision and Land Development Plan in the amount of \$1,297,586.00. An 18-month Letter of Credit has been issued to cover the structural integrity of the improvements in the amount of \$212,841.24.
 - D. Election of Shirl Barnhart as Trustee for the PSATS Health Insurance Cooperative Trust
 - E. Election of Shirl Barnhart as Trustee for the PSATS Unemployment Compensation Group Trust
 - F. Reduction of Financial Security for John Huyard – Major Stormwater Plan in the amount of \$39,460.85 retaining \$3,507.50 for remaining work to be completed. \$26,613.95 of the \$39,460.85 will be returned to Mr. Huyard, the remaining \$12,846.90 will be retained by the Township to cover the balance due on invoices.

- G. KH Electric change order for the UV Disinfection – Trouble shoot and tracer uncovered wire in the amount of \$250.00.

Motion by Ms. Mariani to approve the Consent Agenda items, seconded by Mr. Williams.
Motion approved 5-0.

- VII. Public Hearing – Zoning Ordinance Text Amendment. Add definitions, add provisions for Data Centers as an accessory use in the Industrial Zoning District and add provisions for Accessory Apartments for Additional Family Members in various zoning districts. Mr. Dellinger presented the text amendment which was prepared by the Township Planning Commission.

The text amendment consists of adding two new accessory uses to the ordinance, the first being Accessory Apartments for Additional Family members. Mr. Dellinger explained accessory apartments would be an a secondary dwelling unit which is located within an existing single-family detached dwelling or within a detached accessory building and which is occupied by a person related by blood, marriage, or adoption to the occupants of the principal dwelling. Included with this accessory use is use criteria, restrictions, parking requirements and an annual zoning permit for conformance. Upon the accessory apartment no longer necessary, kitchen facilities would need to be removed.

The second proposed accessory use is for Data Center/Cloud storage which consists of a building or series of buildings, or modular unit(s) used for electronic data storage/warehousing. This use would be accessory only in the Industrial District and all power to the units must be generated on the site. Use criteria includes setback, height and sound limitations as well as screening requirements for adjacent residential uses.

There were no further discussions and no public comment.

Motion by Mr. Mohr to approve this Text Amendment request, seconded by Ms. Mariani. Motion approved 5-0.

- VIII. Old Business – none.

- IX. New Business

- A. Motion by Mr. Williams to approve the 2023 Minimum Municipal Obligation for Conoy Township Non-uniformed Employee Pension Plan for budgeting purposes, seconded by Mr. Hawthorne. Motion approved 5-0.
- B. Motion by Mr. Hawthorne to approve the sale of 2379 River Rd, Lot 2, to Lebanon Valley Mobile Homes Inc., for \$500.00 by Repository Sale through the Lancaster County Tax Claim Bureau, seconded by Mr. Williams. Motion approved 5-0.
- C. Motion by Ms. Mariani to approve the request of Jesse Fitzkee to purchase Township owned .38 Special Revolver in the amount of \$300.00 and to authorize Ms. Sinopoli to sign all ownership transfer paperwork, seconded by Mr. Williams. Motion approved 5-0.
- D. Motion by Ms. Mariani to approve the streets (Cypress Street and Penn Oak Drive) and open spaces dedication of the Towns Edge Development, seconded by Mr. Hawthorne. Motion approved 5-0.

- E. Motion by Ms. Mariani to approve a \$1.00 raise for Jamie Kauffman after successfully completing her 90-day probation [effective July 31, 2022], seconded by Mr. Williams. Motion approved 5-0.
- F. Advertisement of Ordinance 1-10-13-2022 Emergency Medical Services Authority. Mr. Risser briefly explained the intention of the ordinance and the creation of an authority which would include 11 neighboring municipalities.

Mr. Frank Splain, Marietta expressed his concerns with regards to the acceleration of organizing this authority. He would like to see the supervisors slow it down and take the time to consider all options and make every effort possible to inform the township residents.

Ms. Diane Burke expressed the need for all residents to support the EMS Services and the need for the public to be informed of the financial position the Northwest EMS is facing.

Mr. Dale Ressler, Northwest EMS Chairman, explained the financial situation of the EMS and advised discussions have been taking place with committee members over the past four years and it was determined creating a Municipal Authority would make the most sense.

Mr. Stephen Mohr, Jr. also expressed his concern with rushing this authority through and the lack of thorough public involvement. Mr. Mohr, Jr. would like to see the various versions of what the pricing would look like, especially in the case(s) where some of the 12 municipalities could back out.

Motion by Ms. Mariani to table acting on the advertisement of Ordinance 1-10-13-2022, seconded by Mr. Risser. Motion approved 5-0.

- X. Acknowledgements – none.
- XI. Discussion Items:
 - A. Blacksmith Shop Proposal Update. No updates.
 - B. Highways/Buildings update.
 - i. 215 Falmouth Rd rental property. Mr. Risser noted electrical service updates have been completed and the water heater was relocated for code compliance.
 - ii. Dresser Loader minimum bid amount. On a motion by Mr. Risser it was recommended to set the minimum bid amount at \$5,000.00, seconded by Ms. Mariani. Motion approved 5-0. Mr. Crème noted in addition to placing the loader on Municibid, an advertisement will also need to occur.
 - C. Engineer: UV Disinfection Project - Mr. Lynn stated check valves need to be added to the UV systems to prevent the pumps from possibly being turned backwards from backflow through the system. Turning the pumps backwards will void the warranty on the pumps. This will trigger another change order in the amount of \$4,887.87 which will be on the October agenda. Reed Beds Status – Mr. Lynn advised the beds are still not draining. Governor Stable

Bridge Repair – Mr. Lynn indicated the permit for Bridge #1 has been issued; awaiting the issuance of the permit for Bridge #3 and the design for Bridge #2 is proceeding.

- D. 2023 Small Funds, General Fund, & Sewer Fund Budgets. A brief discussion took place regarding the 2023 small funds projects.
- E. Governors Stable Road Fund. Motion by Mr. Williams to transfer the Governors Stable Road funds to the Capital Reserve fund and to close out the Governors Stable Road fund, seconded by Mr. Hawthorne. Motion approved 5-0.
- F. Consideration of a joint meeting with the Planning Commission. Mr. Crème was contacted by Planning Commission Chairman Chris Geesey with regards to having a joint meeting with the Board of Supervisors with regards to proposed uses and use criteria brought forth by LCSWMA. Mr. Crème indicated it would be practical to hold such meeting at an already advertised Planning Commission meeting and then announcement of a special meeting by the Township Supervisors would be advertised. The supervisors agreed to hold the special meeting on October 4, 2022 at the Planning Commission's regular meeting.

XII. Correspondence Received:

- A. Draft 2023 Meeting Dates. Mr. Risser advised the 2023 Board of Supervisors meetings will be held at the Township Municipal Building and the meeting time will change to 6:00 p.m.
- B. Draft 2023 Submission Deadlines for Planning Commission & Zoning Hearing Board
- C. Draft 2023 Fee Schedule. Will be discussed at a future meeting with a draft resolution.

XIII. Public Comment – none.

XIV. Executive Session. Mr. Risser announced there would be an executed session following the meeting.

XV. Adjournment. Motion by Ms. Mariani to adjourn the meeting, seconded by Mr. Williams. Motion approved 5-0 and the meeting adjourned at 8:55 p.m.

The next Supervisors meeting is scheduled for Thursday, October 13, 2022 at 7:00 p.m.

Respectfully submitted,

Shannon L. Sinopoli
Secretary