

REGULAR MEETING
November 18, 2019

The regular meeting of the Reading Township Board of Supervisors was held at the Township Building and called to order at 6:02 pm by Kevin Holtzinger, Chairman. Vice Chairman Greg Heefner and Gary Sauble were present with Chairman Holtzinger presiding over the meeting.

Others in attendance included Susan Smith, Solicitor, Law Offices of Susan Smith; Eric Mains, Engineer, Gannett Fleming; Gary Bullock, Emergency Management Coordinator; Jason Grim, Kim Dissinger, Public Works Department; Bill Ceravola, Officer in Charge; Gerald Shank and Alicia Wooters, Planning Commission; William Hill, Engineer for RTMA; Sharon Myers, Solicitor for RTMA; Jason Phillips, United Hook and Ladder; Pauline Brodbeck, Louanne and Jeff Megonnell, George Wolf, Chuck and Julie Williams, Harold and Becky Ruppert, Becky and Mark Mitchell, Gary Myers, Sue Myers, Gail Bixler, Dean Wonders, Anthony Phillips, Angie Phillips, Scott Weaver, Michael and Brenda Wine, Lee Miller, Tina Smith, Angela Highlands, Matt Spahr and Brian Oyler.

Pledge of Allegiance led Chairman Holtzinger.

**Public Comments on Proposed Ordinance-Township
Guarantor of RTMA Refinancing**

Attorney Smith stated this Ordinance has been properly advertised in newspaper and copies were available at the Township Office. Associated with the Ordinance is a guarantee agreement. Attorney Smith reviewed the Ordinance and Guarantee Agreement and stated some corrections that needed to be made.

Attorney Myers stated the Ordinance needs to be signed by the Township so a guarantee can be executed on the refinancing of two existing loans the RTMA currently has. The two loans together total \$625,000.00. There will be no new money borrowed. Reading Township currently guarantee's the loan. In refinancing the loan, they can start paying on the principle on the line of credit and hope to have the total loan paid off in five years. There being no Public Comments this portion of the hearing has been closed.

Attorney Smith reviewed the Ordinance and Guarantee Agreement and stated some changes that needed to be made. Attorney Myers, RTMA Solicitor, has provided the Board with the revised Proposed Ordinance and Agreement with the changes being made.

**2019-04-Regulating and Providing for Change in
Load Limit for the Stoney Point Road Bridge over Markel Run**

PennDOT performed a load analysis on the bridge on Stoney Point. The load analysis indicated that the Township must repost to lower the weight limit which they are required to do.

Public Comments:

Chuck Williams questioned Officer Ceravola as to his conversation with Honey Locust. Chairman Holtzinger stated it is pending. There being no more comments this portion of the hearing has been closed.

Minutes of October 21st Regular Meeting were approved with a correction on a motion by Mr. Heefner, seconded by Mr. Sauble; motion carried unanimously.

Minutes of November 6th Special Meeting were approved with corrections on a motion by Mr. Sauble, seconded by Mr. Heefner; motion carried unanimously.

Minutes of November 14th Budget Meeting were approved on a motion by Mr. Sauble, seconded by Mr. Heefner; motion carried unanimously.

ANNOUNCEMENTS

Chairman Holtzinger, Mr. Heefner and Officer Ceravola met with PennDOT on October 31st to discuss dangerous intersections.

The Board of Supervisors met with Company 32 on October 31st.

The Board met on November 18th with PennDOT to discuss possible land acquisition for SR 234 and SR 94 improvements

PUBLIC COMMENTS

Harold Ruppert asked if there is any way they can control mosquitoes in the storm water pits. Mr. Mains stated if it is a traditional detention basin, they must de-water in less than 72 hours which is less than breeding time for mosquitoes. If Mr. Ruppert has any concerns, he can contact Deb Mussleman at the Conservation District.

Chuck Williams stated the swimming pool has been filled in at 5435 Carlisle Pike.

Gerald Shank stated there has been a white work truck at the abandoned property located at 5324 Carlisle Pike.

Alicia Wooters stated she is here as a concerned citizen and taxpayer of Reading Township. She lives in Hampton. She stated in looking at the Townships 2020 budget, there is a list of contributions. The Board allocated \$3,000.00 to East Berlin Community Center, \$3000.00 to the East Berlin Library and \$50,000.00 to Northeast Adams Fire Department, which is the merger between East Berlin and Lake Meade Fire Companies. Ms. Wooters questioned the Board as to why they are stalling in taking over the Hampton Fire Company building and ball field, a total of 10 acres, for a rec park. She stated we are Reading Township not East Berlin and she does not have anything against East Berlin, but she would like our own facilities closer to home and part of our town and township. Her request to the Supervisors is to consider saving Reading Townships identity as Hampton/Reading Township while the opportunity exists to have a property assessed at over \$800,000.00 by the county turned over to the township for our citizens' use and enjoyment.

Jeff Megonnell asked if he heard correct and Northeastern Adams is going to receive \$50,000.00 next year. Chairman Holtzinger stated that was correct and United Hook and

Ladder, York Springs and Heidlersburg will each receive \$8,000.00. Mr. Megonnell stated that is a slap in the face to the members of Hampton Fire Company.

Louanne Megonnell stated any money that is given to United Hook and Ladder from the Township goes towards Reading Township not United Hook and Ladder.

Gary Bullock stated Attorney Neubaum was supposed to call him when he had the paperwork ready to sign the property over to the Township. Attorney Neubaum never contacted Mr. Bullock.

Chairman Holtzinger stated putting comments on Facebook does not help the situation between the Township and United Hook and Ladder.

Alicia Wooters stated the reason why this has gotten carried away with the Hampton Property is because the merger went through in Court and was approved without the property being signed over ahead of time. The agreement was that the property was to be signed over to the Township before that merger happened, so why did Hampton go into Court and agree to the merger when they knew the property was not taken care of yet.

Gail Bixler stated she will not be able to be at the meeting on December 9th for the rezoning of Chairman Holtzinger's land. She stated she thought rezoning to residential was going through, but she understands it is stay with Commercial. As a resident of Reading Township, she is very disappointed that it is going to move forward as a zoning change. Mr. Heefner stated it is only a proposal it is not moving forward. Ms. Bixler stated she thinks the process is moving along quickly and wonders if all the due diligence has been done before the meeting on December 9th. Chairman Holtzinger stated, his engineer, attorney and himself made this presentation this time last year to the Planning Commission.

Harold Ruppert stated he does not understand why residents from Hampton Heights are complaining about the rezoning. Years ago, the area which they are living was once a farming area.

Brian Oyler stated he has lived in many area's and he loves this area and the quietness. He is concerned about an industrial complex moving in and how the area will change. He stated the community is against it, but nobody is listening.

Becky Mitchell stated the rezoning is a conflict of interest because it is a Supervisor requesting it and there are also some ethic issues. Ms. Mitchell stated they have consulted with local and state politicians and the Adams County Solicitor and Reading Township activities are on the radar. She stated it is also at the Attorney General's Office. Her concern is Adams County Planning and Development and the Planning Commission have not recommended the proposal and if the three Supervisors approve, what kind of precedent does that send to any property owner in Reading Township. Ms. Mitchell would like to see Chairman Holtzinger remove himself from his Supervisor Position then start the process over again. He will then have removed himself from any conflict of interest. He can also postpone the process until there is an elected official on the Board and not appointed positions. Chairman Holtzinger stated nothing has been done unethically.

Attorney Smith stated any person in this room has the right to petition to have their property rezoned. That was done with no conflict of interest. No action has been taken. When someone makes a request, the process set by law is they have a right for that request be forwarded to Planning and Development and the Planning Commission for review and

comment. That has been done and no one influenced that process. By law, when that process is complete the next step is a public hearing which has been set for December 9th. It will be a public hearing to hear public comments. No actions have been taken that constitutes a conflict. Chairman Holtzinger will recuse himself and will not be participating in the public hearing. Legislature states when you have a three-member board, despite conflict, if two members of the board can not resolve questions then the third conflicted member can vote. That is what the law states.

Becky Mitchell stated she can give a list of conflicts and that is the why they have gone to local and state representatives and the Attorney General.

Harold Ruppert stated someone could buy this farmland and we could go through this all over again.

Mr. Heefner stated Chairman Holtzinger could keep it zoned as is and someone could buy it and have a turkey, chicken or hog farm and no one can do anything if it meets the requirements.

Mark Mitchell stated he does not have a problem with Chairman Holtzinger as a resident. He has every right to ask for rezoning.

Jeff Megonnell questioned Attorney Smith if the two Supervisors can not agree Chairman Holtzinger can vote? Attorney Smith stated that is correct.

Matt Spahr distributed Adams County recommendations. Mr. Spahr stated he does not have a problem with Chairman Holtzinger personally.

Chairman Holtzinger stated he was a good guy if he left Mr. Spahr hunt on his property. Ms. Mitchell questioned Chairman Holtzinger if he is acting like an official now. Chairman Holtzinger retracted his previous statement. Mr. Spahr stated he received permission but never hunted on his property. Mr. Spahr is frustrated as to how fast the process is going. Mr. Spahr questioned the Board as to how long a Supervisor must live in the Township. Chairman Holtzinger stated his tenants are moving out of his farmhouse and he will be moving in. Mr. Spahr asked Chairman Holtzinger how he can have his best interest if he is not living in the area. Chairman Holtzinger stated he owns 250 acres, employs people, pays taxes in the Township, receives mail in the Township and has resided in the Township for a long time and will be residing here again. His previous living situation was temporary.

ENGINEER'S REPORT

DEP Resolution for Plan Revision Resolution #2019-19

The subdivision plan previously submitted by Mr. Mummert was approved by the Board of Supervisors with a condition that the Department of Environmental Protection (DEP) approve the Sewage Facility Planning Module. The initial Exemption Module was declined with DEP requesting a Full Planning Module be submitted which requires a

Component 4A to be signed by the Planning Commission. Mr. Heefner made a motion to adopt Resolution #2019-19 Ladd Mummert Sewage Facility Planning Module for Chairman Holtzinger and to authorize Kimberly Beard, Township Secretary, to sign, second by Mr. Sauble; motion carried unanimously.

Resolution #2019-21 Requesting Grant to improve Public Water Supply and Sewer Systems

Mr. Mains stated this is relative to small sewer and water grant the Township will be applying for. The grant will be used to do some drainage work through the State grant agency. The Resolution is acknowledging the support of the Township. Mr. Sauble made a motion to acknowledge Township support of application and allowing Garry Wilt and Kimberly Beard to sign any relative documents should the Township be awarded the grant, second by Mr. Heefner; motion carried unanimously.

Mr. Mains has completed the cost estimate for road work from SR 234 to Iris Lane. Chairman Holtzinger would like to move the road work back 100' from SR 234 because of the work PennDOT will be doing at the intersection at SR 234 and SR 94. Mr. Mains will adjust his cost estimate to reflect that change.

MISCELLANEOUS

**PennDOT-Signal Light at 234 and 94
Resolution 2019-20**

Mr. Heefner made a motion for Chairman Holtzinger to sign Resolution #2019-20 acknowledging PennDOT to perform work at SR 234 and SR 94, second by Mr. Sauble; motion carried unanimously.

OLDS District 1 Delinquent Account

Mr. Wilt would like the Board to advise him on how to proceed with the delinquent accounts of the residents who have not complied with the OLDS Ordinance and have not had their septic's pumped in district 1. There is a short list and Mr. Wilt has sent seven letters out to each property owner. There is a fine of \$50 for each month they do not comply. Attorney Smith stated the next step would be a non-criminal citation filed to the magistrate. The administrative staff who handles the OLDS Program can prosecute and appear at the hearing. The Township must get an assignment of a code from the magistrate office. The citation will be delivered to the resident by the Sherriff's department. Mr. Heefner made a motion to proceed filing with the magistrate except for 530 Conewago Drive and 774 Peepytown Road until further information is obtained, second by Mr. Sauble; motion carried.

Ordinance-Township guarantor of RTMA refinancing

Mr. Sauble made a motion to adopt the RTMA refinancing Ordinance #2019-03, second by Mr. Heefner; motion carried unanimously.

Ordinance #2019-04

**Change in Load Limit for the Stoney Point Bridge
Over Markle Run**

Mr. Heefner made a motion to approve Ordinance #2019-04 regulating and providing for a change in load limit for the Stoney Point Road Bridge over Markle Run, second by Mr. Sauble; motion carried unanimously.

**Debt Statement and Borrowing Base Certificate
for RTMA Refinancing**

Attorney Smith stated this form must be file with DCED. This form reflects the Township guaranteeing the amount of \$625,462.57 as described by the RTMA Solicitor which is to be paid back in five years and it is to replace the two debts they currently have. Mr. Heefner made a motion to approve the Debt Statement pursuant to Section 8110 and Borrowing Base Certificate section 8002 to be signed, second by Mr. Sauble; motion carried unanimously.

**SR 234 and SR 94 PennDOT
acquisition of Township-owned Property
for Road Improvements**

Mr. Heefner approved entering negotiations with PennDOT for acquisition of Township property only at SR 234 and SR 94, second by Mr. Sauble; motion carried unanimously.

**Referral of Zoning Ordinance Amendment to
Planning Commission/ACOPD
for recommendation**

Attorney Smith prepared a text amended Ordinance that would match up with the proposed re-zoning and the map legend for re-zoning districts. Low Density-R1, Low Density Residential-R1A and Medium Density Residential-R2. Attorney Smith proceeded with some other changes made from the draft pulled by the County. Mr. Sauble made a motion to refer as required by the MPC to the County Planning Department and Township Planning Commission for review and recommendation as a 30-day review period and to set a public hearing on January 20th on the text amendment, second by Mr. Heefner; motion carried.

TREASURER'S REPORT

The Treasurer's Report for the month of October was approved pending audit on a motion by Mr. Heefner, seconded by Mr. Sauble; motion carried unanimously.

ADMINISTRATIVE REPORT

The Board acknowledged receiving reports from the Police, Public Works, Zoning/Code Enforcement Officer and Building Inspector, Emergency Management and Northeast

Adams Fire & EMS, Lake Meade Municipal Authority and Rabbit Transit Financial Report for the month of October.

Police Report

Officer in Charge, Bill Ceravola supplied the Board with a detailed report of the Officer's time for the month of October. Officer Ceravola stated himself and Officer Morehead had driven 1857 miles, worked 325 hours. 30 hours for training, 10 overtime and 18 personal time hours. The Officers were in Lake Meade 28 times. There were 135 calls, 20 traffic stops and there were 23 traffic citations, 3 non traffic ticket for harassment, 7 fix it tickets and 1 juvenile arrest for domestic.

Emergency Management and Fire Companies

Tyler Butts stated East Berlin and Lake Meade recently merged. They now have four ambulances, one which is staffed twenty-four seven, twenty-five employee's and seven full time. They are working with the Townships they service to enter into a service agreement. These agreements will be a ten-year period and the stations will be manned 365 days a year. Mr. Butts stated their call volume is increasing and they are looking into the future. Chairman Holtzinger motioned to table the agreement upon a cure and dispute resolution can be added, second Mr. Heefner; motion carried unanimously.

Mr. Heefner made a motion to accept the administrative reports as submitted, second by Mr. Sauble; motion carried unanimously.

SOLICITOR'S REPORT

Update Bakers School Road

Attorney Smith stated she has drafted an Ordinance and she is working with the engineer to gather more information about the road. Attorney Smith hopes to have the Ordinance before the Board at the next Board of Supervisors meeting for review.

Attorney Smith stated the County has started sending inquires out to people in the clean and green program about doing sight inspections for verification the properties are meeting the nutrient management act requirements. This is a step to administer the Chesapeake Bay Plan.

PUBLIC COMMENTS

Harold & Becky Ruppert would like to thank the Board for hiring Attorney Smith as the new Solicitor.

Buzz Phillips commented on the EMS presentation that was made. United Hook and Ladder offered the Township a 10-year agreement and they turned it down. Chairman Holtzinger stated there was not a demand for money and that is why an exit clause will be added to the agreement.

Becky Mitchell stated when the Supervisors were referring to the Ordinance for the refinancing of the RTMA loan Mr. Heefner made a comment what choice do we have the precedent has been set before us. Ms. Mitchell said she would like the Supervisors to

consider that when they look at draft three what precedent that is going to set going against two zoning committees. What precedent does that set for a future for Reading Township.

Matt Spahr questioned the Board as to who is paying for all the proposed re-zoning?

Attorney Smith stated she will answer that generally because she does not know the specifics. Usually municipalities set a fee for an application for private re-zoning, that may be true here or not, if not then the municipality before this Board has established that there will be no fee associated with the petitions to consider re-zoning actions which are legislative actions so the Township would be bearing the cost. Mr. Spahr question the cost. Gerald Shank responded most of the cost will be paid by the Township and Taxes. Mr. Shank stated the reason this process was started was to clean up some of the lines.

ADJOURNMENT

There being no further business, the meeting adjourned into executive session at 8:25 pm on a motion by Mr. Sauble, seconded by Mr. Heefner; motion carried unanimously.

Respectfully Submitted,

Kimberly Beard
Secretary/Treasurer