October 14, 2009
Tyrone Township
Board of Supervisors’ Meeting Minutes

Call Meeting to Order
Pledge of Allegiance
Review Previous Meeting Minutes
Review Bills

The Tyrone Township Board of Supervisors met at 7:00 PM on Wednesday, October 14, 2009, at the Municipal Building located at 5280 Old Harrisburg Road, York Springs, Pennsylvania 17372.

Present were:  Vice Chairman Russell Raub; Supervisor William J. Starry; Donna Dixon, Secretary-Treasurer; Rosalie Dashoff, Township Citizens Committee; Dave Richwine and Stanley Kuykendall, Township Planning Commission; Erik Vranich, Township Engineer; and Barry Ortmier and Timothy Cook, Township residents. Chairman Galen J. Smith was absent for this meeting.

A motion to approve the September 23, 2009 minutes was made by Starry and Raub 2nd the motion. The motion carried unanimously.

Starry asked the Secretary-Treasurer if a motion had previously been made to allocate the percentages to the three fire departments from the money received by the Township for the 2008 and 2009 Foreign Fire Relief Insurance State Aid. Dixon was previously notified by Brian Hill of the PA Department of the Auditor General to contact him prior to the Township making the allocations to ensure the Township accurately distributed the money. A motion was made by Starry to pay the bills and 2nd by Raub. The motion carried unanimously.

NEW BUSINESS:

Response Letter to DEP Regarding Act 537 Plan - The Board of Supervisors agreed to accept the letter prepared by Township Solicitor Shultis and send it to DEP. Chairman Smith will sign the letter tomorrow and the Secretary-Treasurer will fax and also mail it to DEP.

James Husic Driveway Width Request and James Husic Potential Real Property Purchase - Mr. Husic has indicated his desire for a 20' width driveway and to the best of Raub’s knowledge, there is no provision in the Zoning Ordinance that limits the width of a driveway. Starry is not in favor of creating a 20' width driveway for Mr. Husic because he feels it is unnecessary; however, Starry is in agreement to give Mr. Husic some landfill for his driveway. Vranich mentioned that Mr. Husic had requested a 12' or 14' width driveway at a previous meeting. Vranich agreed with the Board of Supervisors that a 20' width driveway was unnecessary and that the Township give Mr. Husic a six-week timeframe to make a decision if he will purchase a real property parcel from Mr. and Mrs. Tosten. Raub stated that he left a voice message for Mr. Tosten offering the latest drawings; however, Mr. Tosten has not returned Raub’s phone call. The Township is now in a six-week waiting period to hear from Mr. Husic. After the six-week period has expired, the Board of Supervisors will move forward with or without Mr. Husic’s response.

Township Office Days/Hours of Operation - The new Township office hours are Monday through Thursday from 9 AM to 2 PM. Last Friday individuals were still coming into the office through the open garage doors. Starry thinks the Township should install an automatic overhead door on both garage doors. Raub asked Starry if he is interested in Craig Fahs, the Road and Facilities Maintenance Worker, calling for pricing. Starry suggested Fahs contact D & D Door out of Hanover; and if the Township bought three door openers, the Township would receive a tremendous deal. This cost should be included in the 2010 Budget and would cost approximately $3,000. Fahs will be requested to call for pricing. Starry added the rows of lights in the garage bays may have to be changed in order to install the doors.

Cost Estimate for Zoning Ordinance Green Industry Amendments - On September 23, 2009, Thomas Comitta Associates, Inc. submitted an estimate for this proposal. The cost estimate ranges from $3,500 to
$3,800. Raub asked if anyone had any thoughts, comments or another firm to consider for a cost estimate. Dixon mentioned that Smith informed her that he is in favor of accepting this proposal from this firm. Starry made a motion to hire Thomas Comitta Associates, Inc. to draft a Zoning Ordinance amendment proposal to enable and encourage green industry. The motion was 2\textsuperscript{nd} by Raub. Dixon was requested to either email or prepare a letter that the Township is engaging this firm for the services specified in our proposal and they are to coordinate their efforts with Township Solicitor Shultis.

**Resignation of David Shupe, Chairman of Newsletter Committee** - The Board of Supervisors recognizes and accepts with regret the resignation of Mr. David K. Shupe from the Township Newsletter Committee and as Township Webmaster.

**Certificates of Analyses Regarding 444 Five Points Road, 3712 Oxford Road & 490 Millar Road** - After reviewing the results received from Analytical Laboratory Services, Inc., the Board of Supervisors still does not know what the legal thresholds are. Robert Whitmore, one of the Township's SEOs, had found some violations at Millar Road and Whitmore is going to send a letter to the real property owners along Millar Road. Dixon was instructed to contact Whitmore to request legal limits and explain the results.

**2010 Fee Schedules from Land and Sea Services LLC and The Earth Doctor** - The Township received 2010 fee schedules from both of these subcontractors. Bill Deal of SEO Services, Inc. had been requested to provide a 2010 fee schedule but has not done so.

**2008 & 2009 Foreign Fire Relief Insurance State Aid Distribution** - The Township received the Foreign Fire Insurance Premium Tax funding allocation for 2008 for Aspers Fire Department since it is now in compliance and for 2009 to be distributed to all three fire departments – Heidlersburg, Bendersville and Aspers. By action of the Township Board of Supervisors, this money is being distributed immediately.

**Additional New Business:**

- For those interested, there will be a Waste Contract Bid Opening on October 21, 2009 at 9 AM in the Adams County Commissioners' Meeting Room. There was some information sent to the bidders to clarify the language in the bid. The Township should be notified who the bidders are for the Northeast Group, of which the Township is a member.

- The Township received an invitation to PennDOT's Winter Services Meeting being held on October 30, 2009 at 8:30 AM at the PennDOT Maintenance Facility on Fairfield Road.

- Dixon will contact the Adams County Assessor's Office to request a Per Capita email listing for the Township.

**OLD BUSINESS:**

- Dashoff distributed an article, published in last night's The Evening Sun newspaper regarding Hamilton Township negotiating with the SPCA to allow Hamilton Township to make their usual contribution with residents adding their contributions to the Township’s. As a result, Hamilton Township only had to make up a few dollars. The SPCA has agreed to this arrangement and this way the animals do not have to suffer. Dashoff suggested the Tyrone Township include an article similar in the next newsletter asking for contributions from the residents. The Township would not have to collect the contributions from the residents. The residents would state on their checks “for Tyrone Township’s contribution”. Dashoff is willing to also place an article in the newspaper similar to the Hamilton Township article.

- Dashoff also inquired if that Township plans to appoint another person as Chairperson for the Newsletter Committee. Raub stated the Newsletter Committee has not scheduled their next meeting but is planning to schedule a meeting shortly. In addition, the thought is that maybe the previous Chairman may return. Dashoff would like to send an article to the Newsletter Committee. Raub requested that Dashoff send the article to him.
• Starry asked if the Board of Supervisors is planning to prepare prior to going to the Arbitration Hearing. Raub suggested that the Board of Supervisors should prepare for the Hearing and commit a couple of issues in writing of the Board’s thoughts.

UNRESOLVED ISSUES

None

PUBLIC PARTICIPATION

• Richwine requested to read the minutes of the Board of Supervisors’ September 23, 2009 meeting.

• Kartreider Subdivision – There are three lots on one Deed and no right-of-way to reach Lot 2. The land is located along Upper Bermudian and the landowner may have a right-of-way to Oxford Road. It was suggested the landowner apply for a PennDOT Highway Occupancy Permit to Upper Bermudian Road or secure an agreement with the six landowners. Vranich will contact the Adams County Courthouse to receive advice on the course of action to take.

• Kuykendall inquired about the Mexican Store on Cashman Road if food is prepared on a mobile grill outside, can the storeowner sell food without a permit on a regular basis. Starry replied the Township does not have an ordinance regarding this type of situation, but the storeowner must have a license from the Pennsylvania Department of Agriculture and be inspected by the Pennsylvania Department of Health on a regular basis.

MEETINGS

October 21, 2009 at 9 AM Waste Contract Bid Opening, Adams County Courthouse Commissioners’ Meeting Room
October 30, 2009 at 8:30 AM Winter Services Meeting, PennDOT Maintenance Facility, 1185 Fairfield Road
November 10, 2009 at 10 AM FPE Consulting Engineers Hearing Before Board of Arbitrators, Conference Room 307A Adams County Courthouse
November 12, 2009 at 6 PM Adams County Association of Township Officials Annual Fall Convention, SAVES Building, McSherrystown
November 18, 2009 at 10 AM EnergyWorks Meeting, Township Municipal Building

SUBDIVISION

Melvin M. Sharrer, Et. Al., & Richard R. Sharrer - Dixon was instructed to send Dan Sharrer an email message indicating there was no quorum for the Planning Commission meeting on October 14, 2009. Therefore, it is the Board of Supervisors’ suggestion that Sharrer request in writing an extension to its Application of the Board of Supervisors. The request must be received by the morning of October 28, 2009 so that the Board can consider the request for an application and render a decision. Sharrer should request a 60-day extension; and if there is a quorum at the meeting in November, the Board of Supervisors will be able to act on it at that time.

Starry made a motion to adjourn the meeting at 9:20 PM; Raub 2\textsuperscript{nd} the motion. The motion carried unanimously.