

The Peach Bottom Township **Board of Supervisors** met on **September 2, 2015** at 7:00 p.m. in the Municipal Building. Members present S. David Stewart (Chair), Janet Wiley (Vice Chair) and David Gemmill.

- **Motion** to accept the minutes with typographical corrections was made by Supervisor Wiley and 2nd by Supervisor Gemmill, vote 3/0.

Public Comment:

Mr. Frank Geck, owner of 7758 Woodbine Road stated that Peach Bottom Township residents pay 300% more for electric distribution under the PECO Monopoly than Fawn Grove residents. He recommended Eminent Domain proceedings.

Supervisor Wiley, asked if Mr. Geck had received a response from PECO representative Mr. Greg Cary. Mr. Geck did have a lengthy conversation with Mr. Cary.

New Business:

Calpine- Zoning Hearing Board decision concerning construction traffic.

Pam Andrews, owner of the Delta General Store & Auto Center, informed that an employee of CB&I, the construction company building the 2nd block of the York Energy Center, stated that CB&I employees were not allowed to do business in Delta Borough.

Supervisor Stewart noted that it is a Zoning Hearing Board ruling.

Attorney Sharnetzka stated that in the ZHB decision, traffic from construction was not to go through Delta Borough.

Supervisor Wiley corrected, they have to leave the property by turning left onto Atom Road and head toward the river that does not say they cannot do business in Delta Borough.

Craig Wilson, attorney for Calpine Mid Merit provided a copy of the decision for review. The construction traffic has to turn left leaving the plant, but it does not preclude them from circling around and doing business in the Borough. At the time the concern was a stream of 650 construction vehicles leaving at one time going past the elementary school and creating traffic problems in the Borough. CB&I will enforce that restriction.

Sammy McConnell sat through the ZHB meetings and stated that it was inserted because Delta did not want the traffic in the Borough, past the elementary school and it was not done in the blind by Peach Bottom Township.

Sal Ferranti, owner of Delta Pizza, wants to welcome Calpine to all the businesses in the Borough. The redirection of traffic affects everything, businesses, vendors, suppliers and employees, this is a pyramid affect. This puts the Borough at an economic disadvantage; we need a balance to benefit everyone.

Benjamin Chemelli asked what needs to be done to change this; we need to bring business to the area.

He was advised that Calpine would have to go back to the ZHB to lift the restriction. This is not a Township issue, it is the applicants. It is up to the applicant to undo the condition.

The employees are currently leaving from the parking area on Route 74 and bused to the construction site. In 60 to 90 days the construction vehicles will be parking in the lay down area across Pikes Peak Road from the plant, accessed from Atom Road.

Brian Campbell, a Calpine representative, stated that Calpine and CB&I are not directing people where to go once they leave the site. All we have done is ask them to turn left from Pikes Peak Road onto Atom Road.

Attorney Wilson stated that Calpine is willing to look into communication to correct any misunderstandings.

Marlyn Flaharty a Zoning Hearing Board member informed that the ZHB has no enforcement authority; it is up to the Township to enforce the ZHB decision.

Attorney Sharnetzka stated that the Township will enforce fairly and equally all our laws and regulations.

Nick Whiteford, owner of Delta Discount, informed that CB&I employees are sneaking in the Borough to do business, but do not want to lose their jobs.

Supervisor Wiley, asked if the businesses have been to the Borough Council to see if they can do something about the narrow roadway at the Broad Street & Main Street intersection.

Mr. McConnell suggested the Delta Borough Council request Calpine go back to the ZHB.

Supervisor Stewart suggested the business group go to the Borough Council and make sure they want the traffic, if they do, then notify Calpine to notify the employees that they can come into Delta.

Marlyn Flaharty explained the ZHB procedure that Conectiv Mid Merit went through to acquire approval. The hearings were open to the general public. The board makes their decision on what is said in the hearings. Traffic is one of a dozen things that had to be dealt with. The Borough requested the traffic be considered because of the condition and narrowness of the roads. Other people were concerned, the school was concerned and citizens were concerned. The decision of the board was that construction and traffic are workers. Nothing was said during the construction of the first block, now it is a problem. Going to the Borough is not the answer; the applicant will have to apply to the Township for a ZHB meeting.

Attorney Wilson agrees with that history on how this came about. Not everyone feels the same way. The Zoning Hearing Board issued a condition that was a compromise to satisfy as many interests as possible. Calpine does not have any interest in going back through that process. We will work with the business owners to make sure all the craft works and all the other workers at the plant are not precluded from doing business in Delta Borough.

Flood Plain Ordinance Revisions

The Federal Emergency Management Agency has made some changes in the flood mapping. Pennsylvania is requiring all the municipalities amend their ordinances to comply with the changes, by December 16, 2015. The Township manages the flood plain regulations in the Building Permit Ordinance.

Old Business:

Realty Transfer Tax Amendment

To meet advertisement requirements, the amendment will be advertised in the Star Paper on September 10, 17, 24th for adoption October 7th. This brings the Township Ordinance into compliance with the state act for transfer taxes.

Reports:

Solicitor

Matthews #2 Addendum to Agreement

The board approved an amount last month; there are 2 changes to the agreement. The amount increased to \$1,833,615.00 to include applicable transfer taxes and the completion date was moved from January 1st to April 30th. The Township will continue to pay \$3,500.00 a month in rent. The Supervisors discussed the completion date and rent payments.

- **Motion** to extend the finish date to April 30th, but beyond December 31st the Township will not pay any rent, was made by Supervisor Wiley.
 - Motion died for lack of 2nd
- **Motion** to extend the finish date to April 30th, but the rent will be \$1,000 a month starting January until settlement was made by Supervisor Gemmill and 2nd by Supervisor Stewart, vote 2/1.

Supervisors

Supervisor Wiley reported that the Southern York County Emergency Management Agency is in the process of rebranding the ambulances. Ambulance Club fees were discussed with possible tiers, such as personal, family and business. The 2016 budget, although not yet formally adopted, shows no increases in Municipal contributions.

Treasurer/Manager- Catherine Bilger –

- General Fund - \$1,163,873.06
 - Liquid Fuels Fund - \$244,234.94
 - Sewage Fund - \$20,340.02
 - Impact Fee Fund - \$23,459.41
 - Recreation Fund - \$15,027.44
- **Motion** authorizing the payment of bills was made by Supervisor Stewart and 2nd by Supervisor Gemmill, vote 3/0.

Repository Sale

York County Tax Claim received an offer to purchase property from the Repository List of the York County Tax Claim.

Map 2 Parcel 111- 61 W MIDVALE RD, no structure

Map 2 Parcel 113 - 89 W MIDVALE RD, abandoned dilapidated cabin

Map 2 Parcel 405 - 63 E TRAILS RD, non-buildable

Jason Snelbaker offered to purchase the properties for \$500.00 each.

- **Motion** to accept the repository sale of Map 2 Parcels 111, 113 and 405 for \$500.00 each was made by Supervisor Wiley and 2nd by Supervisor Gemmill, vote 3/0.

Diesel Fuel Bid

- **Motion** to advertise for a yearly contract of B2 Ultra Low Sulfur Diesel Fuel was made by Supervisor Stewart and 2nd by Supervisor Wiley, vote 3/0.

Peach Bottom Township Recreation Center Parking Lot Project

The Township applied for grant monies in 2011 to upgrade the drainage and repave the Recreation Center parking area. In 2014, York County Planning Commission approved grant monies in the amount of \$45,000.00 and later that year another \$55,000.00 to expand the project. The Township has now been informed; “Since the project has expanded to more than double its original scope, and has been delayed into next year, the Township is advised that the following standard requirements for public works projects funded with CDGB grants will be implemented: Professional engineering services will be required for the project”

The Manager will contact YCPC to get clarification on the need for engineering.

Large Item Drop-Off

The Supervisors suggested Saturday, November 14th or 21st for the event. The Manager will coordinate with the road crew and electronic recycler for the best date.

Recreation

J. L. Gossert Forestry was contacted to review the area at the Municipal Park that needs to be logged and clear cut. He will mark the trees, solicit bids and monitor the project from beginning to end. Mr. Gossert is paid a percentage of the sale for this service.

The Municipal Office will be closed on September 28th.

Hope Bradley requested the weeds around the tennis courts be wacked/sprayed and the tennis light token machine be repaired. The Manager will contact the appropriate contractor.

- **Motion** to adjourn 8:40 p.m. was made by Supervisor Gemmill and 2nd by Supervisor Wiley, vote 3/0.