

The Peach Bottom Township **Board of Supervisors** met on **September 7, 2016** at 7:00 p.m. in the Municipal Office Building. Members present Janet L. Wiley (Chair), David E. Gemmill (Vice Chair) and Michael Kahl.

- **Motion** to accept the minutes as presented was made by Supervisor Kahl and accepted by Supervisor Gemmill, vote, 3/0.

Public Comment

Cynthia Russo, a resident of the Delta Ridge Community and a part of the Delta Revitalization Committee, informed of a clean-up scheduled for October 1st from 10:00 a.m. to noon, starting at the Delta-Peach Bottom Elementary School. Ms. Russo also asked about refurbishing the stage at the Recreation Center and was informed that it is in the discussion phase.

Laurie Debaise owner of 933 Main Street, Delta Borough understands that there was an agreement with Calpine to monitor traffic and make the building of Calpine as comfortable for everyone as possible. It has not been comfortable for her family. The trucks that travel past her house are damaging her walls, pictures go askew, and dishes rattle on the shelves. Her 1st amendment rights have been compromised. She understood that the residents would not be compromised in any way, this is not the case. She suggests the Township do what is honorable and right, not compromise, do what you said you would do.

Rebeca Foricker, also from Main Street, Delta Borough, has had her mail box knocked down and the telephone pole hit. She cannot have conversations because of the noise of the trucks. Her peace and happiness is being disrupted.

New Business

David Bilger Sr. owner of 183 Gemmill Road

Approximately 2 years ago the pipe at the end of his driveway was replaced, but the black top that was put in when the new bridge was installed has not been replaced. The bridge has 3 inches of mud restricting the water from flowing off, which then stays on the bridge for several days after a rain storm. On the upstream side, sediment is filling in and creating an island and on the Amish property several trees are across the creek which holds back debris that will eventually break loose.

Supervisors Wiley stated that the black top originally placed in the driveway was extra from the bridge replacement and will not be put back. The Township cannot remove the sediment without a permit, but will remove debris that collects in front of the culvert. The Road Crew is aware of the mud issue, but at the time did not have the proper equipment to remove it, but will look into a way to keep the water off the bridge.

Large Item Drop-Off

Since the Township requested 2 workers per truck during the spring drop-off, the fall drop-off will be over budget. The Supervisors will move ahead and hold the event on Saturday, November 19th.

Old Business

Calpine Traffic

- Richard Magnifico, 306 Broad Street Ext, a resident of Delta Borough expressed his concerns with the Calpine truck and vehicle traffic. He has noticed excessive speed, passing on a double yellow, ignoring stop signs and damage to property. He questioned the financial responsibility for repair and maintenance of the roads from the excessive traffic. He suggested more State Police monitor the issue.
- Mike DelCasale representing Calpine has been affiliated with the Calpine project from the beginning. After months of Zoning Hearing Board Meetings, the approval requirement was that all traffic exiting Pikes Peak Road onto Atom Road, turn left away from the Borough. During Phase 1 it worked very well. Market conditions drove the expansion of Phase 2, to a 3rd party construction company. CB&I has, and continues to monitor the traffic, but even though the vehicles turn left out of Pikes Peak, they are doubling back to the Borough using Slateville Road. We have met with the Township on these issues and done everything possible. Calpine installed signs to keep Calpine vehicles off Wiley Road, routes are noted in all contracts, and even blocked Atom Road with saw horses. Not every car or truck through Delta Borough is a Calpine or CB&I vehicle. Heavy hauls go through a permitting process, we are told what roads and time of day the load can be moved, they do not go through town. CB&I receive deliveries between 7:00 a.m. and 3:30 p.m. Calpine has paid a stipend to the Township for road maintenance along with repairing Wiley Road. We can advise our workers, we cannot control tax payers legally on a public road. He has discussed this issue all the way up to the CEO, and asked the residents to help us help you.
- Dave Harper is on location at the Calpine York Energy Center and can be contacted when traffic issues arise. The parking area located at the intersection of Atom and Slateville Roads is no longer utilized.
- Dianna Fleishman, owner of 180 Pike Peak Road, informed that delivery trucks are utilizing this very narrow road as a short cut. Mr. DelCasale suggested and offered to install “No Calpine deliveries allowed on Pikes Peak Rd” signage with property owner’s permission.
- Dave Arnold, owner of 480 Grove Road, stated that not all trucks are from Calpine or Exelon. Some that use Papermill Road are looking at their GPS for a short cut to Route 1.
- Supervisor Wiley introduced Sargent Comerford and Corporal Colvin from the Pennsylvania State Police. She invited them to the meeting so they can hear the issues and address any under their jurisdiction.
- The Sargent informed that they can only enforce the law; only signs that have been installed under the law can be enforced. Several residents recommended locations of enforcement.
- The Corporal informed of 14 different control checks in Peach Bottom Township since April. He asked the residents to call in their concerns and the patrol car in the area will be notified.
- Supervisor Wiley apologized for assuming the State Police issued oversize load permits allowing trucks on Papermill Road, these are issued by PennDOT. She asked if there was

a way to notify the general public when an oversized load would be restricting vehicular use of Route 74. She was informed that unfortunately no standardized notification system is in place.

- Supervisor Gemmill informed that tractor trailers are now 53 feet long and that is what is getting stuck at the Broad Street Extended and Main Street intersection. This is a borough issue and they need to apply for a traffic engineering form TE 149. As long as the trucks are traveling legally, the police cannot stop them. He questioned the signage size, to more visible to the truck drivers. Calpine will research the possibility of enlarging the existing signs.
- Supervisor Wiley informed of a meeting attended by Borough business owners requesting the Calpine traffic be allowed to enter the borough, we have heard both sides of the traffic issue.
- Hope Bradley, owner of 691 Lay Road, offered her driveway to the State Police for speed monitoring. Other attendees offer their driveways as well.
- Supervisor Gemmill has met with Calpine representatives concerning the traffic and the problem is the contractors, they need help from the community, names on trucks and license plate numbers to gain compliance.
- Attorney Sharnetzka asked for clarification from the State Police on engineering studies resulting in a weight signage limitation. If a sign is enforceable under title 75 of the vehicle code it can be enforced by the State Police.
- Supervisor Wiley asked if you can pass a horse buggy on a double yellow line, yes, but the liability still rests with you.

Reports

Attorney Sharnetzka -

Adam Kokinda, owner of Map AP Parcel 18, located on Bunker Hill Road has not appealed a judgement against him for a camper as a principle use. Judgement will be transferred from the District Magistrate to the York County Court of Common Pleas.

6880 Delta Road, Escrow & Change Orders

Currently the Township is holding \$35,000.00 of escrow for completion of the storm water management installed per the agreement with William Matthews. He is requesting a release of \$30,000.00 of the escrow money. The remaining items require established grass areas prior to pipe reduction and grating.

- **Motion** to release \$30,000.00 of the escrow money to Matthews Custom Homes as long the grates are held by the Township was made by Supervisor Kahl and 2nd by Supervisor Wiley, vote 2/1

Lease Agreement with Harford Health Services Inc. – 2nd story office.

The agreement was reviewed and discussed. The automatic percentage increase will be deleted allowing for yearly review.

- **Motion** to approve the contract with minor typographical corrections and elimination of the automatic increase, enabling annual review was made by Supervisor Kahl and 2nd by Supervisor Gemmill, vote 3/0.

Zoning/Sewage Enforcement Officer – Keith Hunnings

Realty Transfer Inspection Agreement/Escrow for 57 Watson Road, Map AP Parcel 11J.

- **Motion** to sign the Realty Transfer Escrow Agreement was made by Supervisor Gemmill and 2nd by Supervisor Kahl, vote 3/0.

Treasurer/Manager – Catherine Bilger

- Motion authorizing the payment of bills was made by Supervisor Kahl and 2nd by Supervisor Gemmill, vote 3/0.
- General Fund- \$1,069,401.83
- Liquid Fuels Fund - \$6,329.91
- Sewage Fund - \$20,626.41
- Recreation Fund - \$10,448.86

Supervisors –

An Executive Session was held on September 1st at 1:00 p.m. to listen to a presentation by PennDOT. The following items were part of the presentation.

Winter Municipal Services Agreement

Under this agreement, Peach Bottom Township performs winter maintenance on the state portions of Lay & Atom Roads and Broad Street Extended. A motion was made and approved at the July Supervisors Meeting to inform PennDOT that the Township will no longer perform winter maintenance on Atom Road due to the roads condition.

- **Motion** to hold with the previous motion and add Lay Road and Broad Street Ext., therefore eliminating the Winter Municipal Services Agreement #3900036821 entirely was made by Supervisor Gemmill and 2nd by Supervisor Kahl, vote 3/0.

PennDOT Highway Transfer Turnback Program

This program is designed to transfer ownership of state-owned roads and bridges that service local traffic, from PennDOT to Municipal governments. The road is improved and turned over to the Municipality and can never be turned back, but the Township would receive extra liquid fuels funding each year. The Township was offered Atom, Lay, Line, Miller, Wise, Kilgore and Bryansville Roads along with Broad Street Ext.

- **Motion** not to take back any turn back roads was made by Supervisor Gemmill and 2nd by Supervisor Kahl, vote 3/0

PennDOT informed that maintenance is performed on state roads according to traffic counts. The Township can request traffic study's on the state road to receive more maintenance.

- **Motion** to request traffic study's on state roads within Peach Bottom Township was made by Supervisor Gemmill and 2nd by Supervisor Kahl, vote 3/0.

Road Crew Request

Andrew Jarvis, one of the Townships Road Crewmen informed that a pipe was replaced on Murphy Road and is requesting asphalt overlay of the pipe and a portion in need of improvement. The entire project would use 350 tons +/- of asphalt and cost approximately \$35,000.00.

- **Motion** to approve the extra maintenance on Murphy Road was made by Supervisor Kahl and 2nd by Supervisor Gemmill, vote 3/0.

Peach Bottom Township Municipal Park

Exelon replaced 3 deteriorated metal sports equipment containers at the ball fields and High School Students would like to paint morals on the containers.

- **Motion** to allow the Kennard Dale High School Art Class to paint the containers was made Supervisor Kahl and 2nd by Supervisor Gemmill, vote 3/0.

Recreation Center

Lighting is needed for the new parking lot. Supervisor Gemmill will be acquiring poles and received 2 proposals. A total of 3 poles with dusk to dawn lights will be installed.

Century Farms - \$3,400.80 and \$210.00 to dig holes to set to poles.

Mattlin Electric - \$5,200.00 and \$2,400.00 to set the poles.

- **Motion** to accept the quote from Century Farms was made by Supervisor Gemmill and 2nd by Supervisor Kahl, vote 3/0.

Pavilion and Band Stand

The Township will be removing the old car and band stand for liability reasons. The Supervisors are working on replacing the old car stand with a pavilion. An existing 40' x 64' pavilion at the fairgrounds was inspected for comparability reasons. We may not need one that big maybe a 32' x 56'. Preliminary investigation revealed that the project will need to be put out for bid.

Supervisor Wiley suggested we delay the project until the spring.

Paul Wiley asked who would be using the pavilion.

Supervisor Gemmill investigated and learned that the Lions Club cooks a couple times for the seniors and it can be used during the yard sales, Mason Dixon can use it for their spring camp, and the youth group could use it to show outdoor movies.

Various uses and idea were suggested. Such as an enclosed area to serve picnics or to store picnic tables.

Marlyn Flaharty recommended the Township talk to the people that will use it so it will fit their needs and be utilized.

Cynthia Russo suggested replacing the band stand to hold concerts. She was informed that if needed, a portable stage can be rented.

Supervisor Kahl recommended the Township put it out for bid early in 2017.

Supervisor Wiley stated it will need to be placed in the 2017 budget.

- **Motion** to adjourn at 9:08 p.m. was made by Supervisor Gemmill and 2nd by Supervisor Kahl, vote 3/0.