

The Peach Bottom Township **Board of Supervisors** met on **May 2, 2018** at 7:00 p.m. in the Municipal Office Building. Members present David E. Gemmill (chair), Michael Kahl (vice chair), and Andrew Jarvis.

- **Motion** to accept the minutes as presented was made by Supervisor Kahl and 2nd by Supervisor Jarvis, vote 3/0.

Public Comment

Cynthia Russo, a resident of the Township has been approved to use the stage at the Recreation Center on the evening of June 1, 2018 from 5 p.m. – 8 p.m. to hold a concert. The concert will showcase a singer who collaborated with the students of South Eastern Middle School to compose songs on the history of our slate region. It has been determined that the Townships insurance will cover the event.

Rick Farrington, organizer of the York County Barbeque Festival to be held on June 29th and 30th, submitted an application to use the Recreation Center and grounds for the event. He has provided insurance with Peach Bottom Township as an additional insured for the event. They will provide port-a-pots and no food or alcohol will be sold. The estimated 23 competitors will begin arriving on the evening of June 28th. They would like to utilize the gym area for judging, making sure the building is locked up overnight.

- **Motion** to allow the York County Barbeque Festival to use the Recreation Center and grounds June 28th – June 30th with a security deposit of a \$100.00 for clean-up was made by Supervisor Kahl and 2nd by Supervisor Jarvis, vote 3/0.

Beth Holtz, requested use of the Recreation Center and grounds for a picnic and dance sponsored by the Kennard Dale Music Boosters on Saturday May 19th from 3 to 10 p.m.

- **Motion** allowing the use by Kennard Dale Music Boosters on May 19th and Cynthia Russo with SEMS on June 1st provided a security deposit of \$100.00 for clean-up is submitted was made by Supervisor Kahl and 2nd by Supervisor Jarvis, vote 3/0.

Kim McLaughlin, director of the Delta Area Senior Center, requested approval for use of the Recreation Grounds for the First Friday Give Local York Event. A concert, showcasing 3 musical groups will be provided to the public. Food trucks will be available, but no alcohol will be sold. If attendees bring alcohol they will be treated the same as the concert held by the Township.

- **Motion** granting approval to the Delta Area Senior Center to use the Recreation grounds as specified was made by Supervisor Kahl and 2nd by Supervisor Jarvis, vote 3/0.

New Business

Donation Presentation

On April the 14th a concert was held at the Peach Bottom Township Recreation Center to benefit the Delta Area Senior Center, Mason Dixon Community Services and the Youth Group, it was a great day. The Supervisors presented \$1,517.00 to each organization.

Yearly Road Maintenance

Since the numbers from the April bid opening came in below expectations, the road crew requested approval to advertise for bids to pave Hollow Road between Kilgore and Hushon Roads. One bid was received from Longs Asphalt to place 11,000 tons of asphalt, (asphalt provided under a Township contract) for \$32,340.00, which is \$0.70 per ton less than the bids in April.

- **Motion** to accept the bid from Longs Asphalt to place 11,000 tons of asphalt for \$32,340.00, was made by Supervisor Kahl and 2nd by Supervisor Jarvis, vote 3/0.

Sale of Township Equipment

2000 Chevrolet 1500 4X4 Pick-Up Truck, 138,000 + miles

Dave Thompson - \$2,001.00

Paul Stewart - \$2,169.00

William Ailes Jr - \$2,877.00

- **Motion** to accept the bid from William Ailes in the amount of \$2,877.00 was made by Supervisor Kahl and 2nd by Supervisor Gemmill, vote 3/0.

No bids were received for the 11' Gledhill Power Angle Snow Plow w/quick attach loop or the M B Pull Type Ground Driven Broom.

Offer to Purchase Property from the Repository List of the York County Tax Claim Bureau.

Walther, Benjamin – Map 2 Parcel 525, Wenzel Rd. 0.54 acre, for \$500.00.

Jones, Doyle – Map 1 Parcel 760, Hemlock Hollow Rd. 0.52 acre, for \$500.00.

- **Motion** to accept the purchase of the Repository Properties was made by Supervisor Kahl and 2nd by Supervisor Jarvis, vote 3/0.

Subdivisions and Land Development Plans

Exelon – 1848 Lay Road, Map BQ Parcel 50 – Land Development Plan

The plan adds an additional independent spent fuel storage pad, equipment storage building and associated asphalt access drive with approximately 3 acres of earth disturbance. The Federal Government has not established what they will do with the spent fuel cells as they currently exist and the current spent fuel storage will be at capacity within 2 years.

Outstanding items are the PA DEP General Permit, York County Soil Conservation NPDES Permit and an agreement with the Township concerning the use of roads during construction. Exelon would like to participate in any discussion concerning weight limit changes on the roads that are used by Exelon.

Supervisor Gemmill stated his concern with the discrepancy in the number of trucks first estimated at 2,400 and later 6,500 during the construction; we do not need to put the burden on our tax payers to repair these roads.

Exelon Representative Alex Stathes informed that originally they were speculating, later a contractor provided the larger number.

Attorney Kessler representing Exelon stated he has done research and there is nothing on the ordinance that would require a full road rebuild.

Township Attorney Sharnetzka noted the issue is that Exelon will be using 6,500 trucks; with that weight and intensity no one will argue that it will have an adverse effect on these roads.

Attorney Kessler is right about the ordinance, but to protect our roads we are going to put in weight restrictions, the ordinance will be adopted and this will shut the project down. Supervisor Jarvis stated that the communications on the road agreement are progressing. Exelon representatives informed those present that the Federal Government has the authority over the spent fuel and storage permitting. The current reactor licenses expire in 2033 & 2034. Resident Bill Tenney asked who ultimately owns the casks and the contents. He was informed that they are obligated to maintain the storage casks until removed and was educated on the type of storage system that will be used for this project. York County Planning Commission and the Township Engineer comments were reviewed and waivers from the Subdivision and Land Development Ordinance requested.

- Section 501 - requiring a separate Preliminary Plan.
- Section 601 - Drawn at a scale of either fifty (50) feet to the inch or one hundred (100) feet to the inch
- Section 601.h - Boundary lines of the tract, showing courses and distances as found by accurate survey.
- Section 712.h - an easement enabling the Township to perform emergency [storm water] maintenance in the event the property owner should fail to do so.
- Section 714.d- Markers must be set: At angles in property lines of lots.
 - **Motion** to approve the waivers as presented with the exception of Section 712.h pending the inclusion of language in an agreement that preserves the Townships right to assess the cost of such emergency maintenance by the filing of a municipal lien was made by Supervisor Kahl and 2nd by Supervisor Jarvis, vote 3/0.
 - **Motion** to approve the land development plan contingent on PA DEP General Permit approval, NPDES permit and Township road agreement was made by Supervisor Jarvis and 2nd by Supervisor Kahl vote 3/0.

Neal – Map BP Parcel 15 (2412 Bryansville Rd) Parcel 16 (2422 Bryansville Road)
Applicant owns 2 adjoining improved properties. The plan adds just enough land from Parcel 16 to 15 in order to drill a well. Currently Parcel 15 shares a well with property across Bryansville Rd. The YCPC Comments were reviewed.

- **Motion** to approve and sign the plans was made by Supervisor Kahl and 2nd by Supervisor Jarvis, vote 3/0.

Zoning Ordinance

Section 202.8 Subdivision

The Planning Commission, at their April Meeting.

***Motion** to recommend the Board of Supervisors add timber and pasture to the definition of cropland was made by Member Stewart and 2nd by Member Steiner, vote 5/1 Carter abstained.*

The attorney recommended Mr. Yoder, the property owner that requested the ordinance change, apply to the Zoning Hearing Board for a variance since he has 170 acres, but not enough cropland to divide the farm in half giving each have a minimum of 50 acres of cropland as defined in the ordinance. It is better to deal with individual issues through a waiver at a zoning hearing, versus changing the whole ordinance and how that affects the rest of the ordinance.

Supervisor Jarvis is concerned with a ripple effect when you change one part of the Zoning Ordinance.

- **Motion** to table the Planning Commission's recommendation for now, recommend Mr. Yoder apply to the Zoning Hearing Board, a representative from the Board of Supervisors attend the meeting to recommend approve of the variance/hardship, was made by Supervisor Kahl and 2nd by Supervisor Jarvis, vote 3/0.

Subdivision and Land Development Ordinance

Section 703 – General Design Standards for Sites

Currently the ordinance reads “*No more than three (3) dwellings within a subdivision may have their access provided by any private road.*” which could allow a private road to service many dwellings as long as they are in different subdivisions.

The proposed amendment, “No more than three (3) lots shall be permitted on any one private street.” and also clarifies the private road agreement requirement.

- **Motion** to send the proposed ordinance amendment to York County Planning Commission for review was made by Supervisor Gemmill and 2nd by Supervisor Jarvis, vote 3/0.

Reports

Solicitor

The appeal of the interim tax assessment for Exelon has been filed.

Ordinance No. 2018-01 - Intergovernmental Agreement between Southern Regional Police Department and the Township of Peach Bottom.

The agreement grants the department the power and permission to enter into the Township for the limited purpose of providing services to South Eastern School District facilities, grounds and school buses.

- **Motion** to adopt Ordinance No. 2018-01 was made by Supervisor Kahl and 2nd by Supervisor Jarvis, vote 3/0.

Municipal Night at the Revolution is on June 22nd.

CGA Law Firm is conducting a Seminar on Emergency Services & Public Safety, Thursday, May 31 from 3:30 – 5:00 p.m.

Treasurer

- General Fund - \$1,458,710.28
- Liquid Fuels Fund - \$296,384.15
- Sewage Fund - \$21,355.40
- Recreation Fund- \$23,611.52

- **Motion** to approve the payment of bills was made by Supervisor Kahl and 2nd by Supervisor Jarvis, vote 3/0.

The municipal office will be closed on Friday, May 11th.

Supervisors

For the last month the Public Works Department has been servicing equipment, filling pot holes and completing maintenance on dirt roads.

The Township engineer, Site Design Concepts, reviewed roads typically used by commercial and industrial entities for weight restrictions. The following reports were submitted.

Lay, Slateville, Prospect and Flintville Roads - 40 Ton Restriction

Atom (twp portion), Burk and Watson Roads - 5 Ton Restriction

The attorney will review state code on exempt vehicles.

- **Motion** to advertise for adoption once legal exemptions have been clarified was made Supervisor Jarvis and 2nd by Supervisor Kahl, vote 3/0.

Construction if Driveways Ordinance

The road crew requested amendments to the Driveway Ordinance. In working with property owners they would like the minimum width at the road to remain 25', but can taper to 15' width, at 25' in length. It also clarifies that a swale is required on any driveway that slopes toward a street or road, all required pipes are to be installed and maintained by the property owner and eliminating permits required on state roads.

- **Motion** to move forward with amending the Driveway Ordinance was made by Supervisor Gemmill and 2nd by Supervisor Kahl, vote 3/0.

Supervisor Jarvis informed that Riggers will be transporting another heavy haul for PECO and are requesting to use Ridge Road instead of Prospect Road. They will be using the Six M property on Slateville Rd as the lay down area instead of the church, which is a reason to review and update the bond amount. He was also informed that possibly 3-4 more hauls will be conducted later in the summer, 2 transformers transported to the North Substation and 1 or 2 to the South Substation.

- **Motion** to continue the agreement inserting the required plating of pipes and updated bond amount was made by Supervisor Kahl and 2nd by Supervisor Gemmill, vote 3/0.

Recreation Center Lease

Supervisor Gemmill suggested a \$100.00 security deposit to insure clean up.

Supervisor Jarvis stated that unless otherwise approved by the Township the renter should provide their own bathroom facility.

For private uses, a rental fee of \$100.00 should be charged and proof of insurance required. In the case of Peach Bottom Township Community Organizations such as churches, boy scouts, and local festivals, the rental fee can be waived; others can attend a Board of Supervisors meeting and request a waiver.

The attorney will review the existing lease to add usage for the outside structures with stipulations such a no open fires and grills must be at least 10 feet from any structure.

- **Motion** to have the attorney review and adjust the existing lease, require a \$100.00 security deposit for all renters and in addition charge a \$100.00 rental fee for all private uses was made by Supervisor Kahl and 2nd by Supervisor Jarvis, vote 3/0.

Sale of Township Equipment

The 11' Gledhill Power Angle Snow Plow w/quick attach loop has been advertised twice without a bid. The M B Pull Type Ground Driven Broom was advertised 1 time without a bid. Sale of personal property with a fair market value under \$2,000 is permissible if the Board of Supervisors shall by Resolution adopt a procedure by which the property may be sold without further action by the Board.

Top Soil

The Township has a large pile of top soil remaining from the construction of the salt shed and public works garage. After some discussion on how to advertise for sale, the decision was tabled until the June meeting.

On May 24th the last Community Youth Meeting for the summer will be held at the Recreation Center. A cannon will be discharged in celebration. Letters need to be provided to residents as a warning.

- **Motion** to adjourn at 9:35 p.m. was made by Supervisor Kahl and 2nd by Supervisor Gemmill, vote 3/0.