

The Peach Bottom Township **Board of Supervisors** met on **June 6, 2018** at 7:00 p.m. in the Municipal Office Building. Members present David Gemmill (chair), Michael Kahl (vice chair) and Andrew Jarvis.

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

#### New Business

The July Supervisors meeting falls on July 4<sup>th</sup>.

- **Motion** to reschedule the July 4<sup>th</sup> Supervisors Meeting to Wednesday, July 11<sup>th</sup> was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Jarvis, vote 3/0.

Offer to Purchase Property from the Repository List of the York County Tax Claim Bureau. Jason Snelbaker, Map 5 Parcel 116, Robin Trail, in the amount of \$500.00

- **Motion** to accept the offer from Jason Snelbaker of \$500.00 to purchase Map 5 Parcel 116 on Robin Trail was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Jarvis vote 3/0.

An Executive Session was held on May 22, 2018 at 2:00 p.m. in the Municipal Office Building with Exelon for road agreement negotiations.

#### Old Business

An Ordinance Prohibiting the Operation of Certain Vehicles on Certain Streets in Peach Bottom Township Roads was presented.

Lacey Dean, representing Exelon Generation, requested the Supervisors reconsider adoption of this ordinance for 30 days. They believe the engineering study used to devise this ordinance is inconstant and does not follow the proper procedures adopted by the state of Pennsylvania. If passed as written they will have no choice, but to litigate because the ordinance will significantly impede their ability to operate a power generating facility.

Paul Menick, Attorney for Exelon, inserted that while he understands the Supervisor position of protecting the tax payers of the Township, but as an important business in the community this ordinance would be so restrictive it would interfere with the ongoing operation of the plant. He requested communication between the Townships engineer, Site Design Concepts and engineer Christopher Kraft of C. S. Davidson to review the weight restriction studies. The Federal Government regulates Nuclear Power Plants, if local government attempts to enact regulations that impair the operation; the courts will say that the local government has to defer to the Federal Government. If the Township is willing to defer action on the ordinance, Exelon will reimburse for any expense of advertisement.

Township attorney Sharnetzka inserted, that this will not impede the spent fuel project; the Land Development Plan Agreement will cover the project.

The Exelon Team and Township Board discussed many issues surrounding the proposed ordinance, most specifically the Atom & Burk Roads 5 ton weight limit. This could affect routine truck traffic, snow plowing to enable employee access, tree trimming, and utility trucks. The availability to access the Peach Bottom Atomic Power Station Complex from Lay Road was debated.

Attorney Sharnetzka informed that this ordinance would not restrict the daily operation of the plant; it would enable the Township to require permits for heavy loads to protect Township roads.

- **Motion** to postpone adoption of the Prohibiting the Operation of Certain Vehicles on Certain Streets in Peach Bottom Township until next month was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Jarvis, vote 3/0.

#### Driveway Ordinance Amendment

The amendment requires a minimum width at the road to remain 25', but it 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. Section III, eliminating permits required on state roads was missed during editing, but is less restrictive.

- **Motion** to adopt the amendment as advertised with minor editing was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Jarvis, vote 3/0.

#### Reports

##### Solicitor

###### Exelon Real Estate Tax Agreement

A letter was sent to Exelon's attorney stating that the PAT amount is not affected by a raise in millage. The Township would like to discuss a set PAT payment as long as they are willing to pay more than what they have been paying, if not we have to decide if we are going to hire an appraiser and move forward with the assessment appeal.

A revised heavy haul agreement with Riggers has been completed.

A civil hearing was held concerning 239 Sycamore Trail, Map 1 Parcel 182, owned by Timothy Ellis and David Hodges for a violation of Section 350 Trailers and Trucks. The Township was awarded over \$2,000.00. Letters informing the owners of violations under the Uniform Construction Code and Sewage Permit Ordinance have since been sent to the owners.

The road crew questioned trees in and outside of the road right-of-way that create dangerous situations and need to be removed. Is it the land owner's responsibility? The attorney is researching the ability to charge the land owner for the cost if they have been put on notice.

Melanie Berry, Map 2 Parcel 99, 82 W. Midvale Road, the Realty Transfer Agreement has been completed and recorded.

Martin Heaps contacted the attorney concerning the McCollum property, Map AO Parcel 2B. The attorney informed that the proposed subdivision is beyond what the ordinance allows, but Mr. McCollum can present his proposal to the Zoning Hearing Board for approval.

A sample resolution which provides procedures for the sale of Township property will be supplied to the manager.

#### Treasurer

- General Fund - \$1,594,166.88
- Liquid Fuels Fund - \$297,122.96
- Sewage Fund - \$21,407.92
- Recreation Fund - \$7,084.83
- **Motion** authorizing the payment of bills was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Jarvis, vote 3/0.

After attending a York County Stormwater Authority Implementation Plan meeting the manager informed that a county wide stormwater authority is imminent.

Supervisor Jarvis noted that the run off should not affect neighbors. Planning Member Thompson is concerned with the cost of engineering requirements. The board and attendees discussed other Municipal Stormwater Ordinances.

#### Supervisors

The Public Works Department spent the month of May completing rain clean-up, dirt road repair, a pipe replacement on Flintville Road, ball field bleacher endcaps, patching pot holes, working on road bonding and a mowing tractor down for approximately 2 weeks,

The pile of top soil located at the rear entrance of the Fairgrounds and the Municipal Complex needs to be removed.

- **Motion** to advertise the entire pile for sale, the winning bidder will be required to load and remove the pile, once removed, the ground must be graded, seeded and strawed to the satisfaction of the Township was made by Supervisor Kahl and 2<sup>nd</sup> by Supervisor Jarvis, vote 3/0.
- **Motion** to adjourn at 8:15 p.m. was made by Supervisor Jarvis and 2<sup>nd</sup> by Supervisor Kahl, vote 3/0.