

MINUTES OF THE COLERAIN TOWNSHIP SUPERVISORS – the Regular Monthly Meeting Monday March 7, 2022 of the Colerain Township Board of Supervisors was called to order by Chairman, Scott E. Shoemaker with a moment of silence followed by the Pledge to the Flag. Supervisors present were: Scott E. Shoemaker, Samuel R. Reinhart and Robin Church. Carmen B. Wiker, Secretary and Eric Frey, Solicitor were also present. A listing of others in attendance will be kept on file.

As per the revision to the Sunshine Law dated 12/98, the audience was advised that the agenda was available to them. Each agenda item will be introduced, motioned and seconded by the Supervisor(s), item will be opened for discussion for the board, and then the audience, and then a vote called for by the Chairman. The Chairman will again ask for any comments the audience may have at the end of the meeting.

The Colerain Township Supervisors held a public hearing as part of their regular meeting on Monday, March 7, 2022, for the purpose of taking action on a petition received on behalf of Sam & Lydia Stoltzfus for 1663 Noble Road, Kirkwood, PA 17536 to add land to the Township’s Agricultural Security Area (ASA). This meeting was duly advertised on February 21, 2022. The Secretary mentioned that the Ag Preserve Board and Lancaster Farmland Trust are aware that this parcel is involved in a current Lot Add-on plan.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to adopt the Ag Security Petition for Sam & Lydia Stoltzfus with no conditions. Scott called for the vote – All voted “Aye” – motion carried.

Public Comment Owen Ryan asked if this was adding to an already existing Ag Preserve.

Minutes of the Regular Monthly Meeting February 7, 2022 were approved as written.

A motion was made by Samuel R. Reinhart and seconded by Robin Church. to approve the February 7, 2022 Minutes. Scott called for the vote – All voted “Aye” – motion carried.

Treasurer’s Reports

- The Treasurer read the Treasurer’s Reports

Unpaid Bills- General Fund

- The Bills on Hand were reviewed. *A motion was made by Samuel R. Reinhart and seconded by Robin Church. to approve paying bills totaling \$ 28,081.68. Scott called for the vote – All voted “Aye” – motion carried.*

Tax Collector

- Nothing to Report

Zoning Officer

- Joe Chrisman reported a total of \$ 4,171.10

Sewage Enforcement

- Nothing to Report

Storm Water

- Nothing to Report

SALDO

- The Secretary reported \$ 200.00 for application fees.

Road Master

- Cindered, Repaired pot holes, stock salt, cinders and stone, clean equipment, clean up downed trees, and get a quote for guiderail at Academy.

Park

- Scott Shoemaker reported that Diamond-Tex was delivered and spread. Also, another window was vandalized and repaired.

Emergency Management Coordinator

- Nothing to Report

Solanco Safety Committee

- Nothing to Report

SALDO

- Weaver Farm Stables Subdivision Plan at 5411 Street Road. This plan was recommended for approval by the Planning Commission.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve the Weaver Farm Stables Subdivision Plan. Scott called for the vote – All voted “Aye” – motion carried.

Public Comment

- Gerry Parker asked about the location and ownership of this property.

Public Comment

- Gerry Parker, resident and Eden Township Zoning Officer asked about the status of the Samuel Lapp plan that was deferred to Eden Township. The Secretary will look into this and get back to her.
- Benjamin Beiler Lot Add-on Plan at 35/37 Salem Road. Tim Trostle of Straussers Surveying was present to explain why he is requesting a conditional approval

which was related to legal deed descriptions. There was a brief discussion on survey and draft deed requirements in the SALDO Ordinance and possible revisions the Planning Commission may want to consider.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve the Benjamin Beiler Plan conditioned on receiving deeds before signing plans. Scott called for the vote – All voted “Aye” – motion carried.

Public Comments

- Scott Kulicke asked the Board if they had read the February Planning Commission Minutes.
- Design Escrow Release for Weaver Farm Stables for 5411 Street Road

A motion was made by Robin Church and seconded by Samuel R. Reinhart to approve releasing the escrow fees for Weaver Farm Stables once all Township obligations have been met. Scott called for the vote – All voted “Aye” – motion carried.

- Design Escrow Release for Israel Beiler for 1753 Noble Road.

A motion was made by Robin Church and seconded by Samuel R. Reinhart to approve releasing the escrow fees for Israel Beiler once all Township obligations have been met. Scott called for the vote – All voted “Aye” – motion carried.

- Design Escrow Release for Samuel L. Stoltzfus Lot Add-on Plan for 618 Creek Road.

A motion was made by Robin Church and seconded by Samuel R. Reinhart to approve releasing the escrow fees for Samuel L. Stoltzfus once all Township obligations have been met. Scott called for the vote – All voted “Aye” – motion carried.

There was a brief discussion on what exactly township obligations are and Eric mentioned that one of those obligations is receiving the recorded plan.

Public Comment

- Scott Kulicke asked a procedural question regarding releasing escrows.

Storm Water

- Jacob Stoltzfus for 276 Highland Road. Mowery Environmental was in attendance with signed plans.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve the Jacob Stoltzfus Storm Water Plan. Scott called for the vote – All voted “Aye” – motion carried.

Public Comment

- There was a brief discussion concerning whether this plan should have been recommended by the Planning Commission before going to the Supervisors. There was also discussion concerning whether or not Storm Water Plans were to be reviewed by the Planning Commission as a one-time thing with an informal opinion or to be returned for a formal recommendation.

Upcoming Zoning Hearing(s) None. A note was in the agenda about the new submission schedule for Zoning Hearing Applications. They must be received by the first of the month to be heard for the first Wednesday of the following month.

Next Meeting for the Supervisors is Monday April 4, 2022 at 7:00 P.M.

Old Business:

- a. Requested education session with the Sunshine Act Law being the subject. Eric Frey agreed that this subject could be put on a future Agenda so long as the public understood that the advice and discussion would be for the advisement of the Supervisors and not the public.
- b. Township recusal policy. Eric Frey advised against this as the state already has a policy.

Public Comment

- Scott Kulicke and Jeff Spangler disagreed with Eric's advice on not having a Township recusal policy and there a long discussion on the many aspects of policies and or the lack thereof, penalties, how the recusal for Scott Kulicke came about, and the Supervisors thoughts with additional comments from Mark Wrigley, Bob Stanley and Peggy Borrelli. Robin explained she would recuse herself if she felt there was a conflict. At this time Becky Kleinz brought up the subject of Roberts Rule of Orders as far as the Township Meetings are concerned and Eric explained that the Township does not follow those rules. It was also stated that the Township does not follow the rule of the chairman only voting to break a tie.
 - c. Validity of hurricane straps inspections. The Secretary talked to the Zoning Officer and he claimed that he does not do hurricane strap inspections on Ag Structures normally but he did look at the hurricane straps at 1790 Georgetown Road. The resident was not charged for it. This brought up discussion about current and past building inspectors, footer inspections, benefit of having a Zoning Officer that lives nearby, overall dissatisfaction with current Zoning Officer and Building Inspector and the certification process including comments from the following residents: Kelly Charles, Walter Todd, III, Mark Wrigley, Scott Kulicke, Bob Stanley, Jeff Spangler and Tammy Rineer.

- d. Right to Know revisions- resident Mark Wrigley proposed revisions to the Township Right to Know Policy. Eric advised against all of them but did suggest putting a link to the Right-to-Know Law on the Township website and the Board agreed.

A motion was made by Robin Church and seconded by Samuel R. Reinhart to approve putting the link to the Right-to-Know Law on the website. Scott called for the vote – All voted “Aye” – motion carried.

- e. Status of Mellott’s Mobile Park License renewal- The Zoning Officer inspected the Park and is satisfied with the outcome. The Annual Permit may be issued.
- f. Confirmation on the Stevie U. King plan being up to date per the current ordinances. The Township Engineer confirmed the plan is up to date.

Public Comment

- Gerry Parker expressed concern that this plan needed to be updated to reflect moving the barn 50’ from all property lines if the building will contain animals. The plan shows 23’. Eric Frey will contact the Zoning Officer. The Secretary stated that Mr. King already started his project as he was given the go ahead. Gerry also commented that the Township should consider a setback for driveways. Currently there is none.
- g. Echo Housing Yearly Affidavits- The Zoning Officer agreed he needs to so these; the schedule for this yearly letter is in the Zoning Ordinance.

Public Comment

- Scott Kulicke expressed his opinion that there is a habit of things falling through the cracks unless brought up at a meeting by others. There was discussion on job duties and responsibilities and a request for the Board to have a list. Jeff Spangler expressed his dissatisfaction with the Board not giving a timeline for this list and also his overall dissatisfaction with the Boards’ interaction during meetings.
- h. Linford Hershey Zoning permit status- This permit was issued on February 23, 2022.
- i. 618 Creek Road Deferral- Eric gave a brief timeline on the approvals and recordings of this plan. Have not been able to determine if the revised plan was approved.

Public Comment

- Scott Kulicke expressed concern over using the word “defer”. Eric explained that the word” defer” is the industry standard and also recognized as the proper terminology by the PA Municipalities Code. Eric also reminded the

Board that deferred plans should always be signed by all Townships involved. Colerain did not sign this particular plan.

- At this time Eric let announced that another deferral would be submitted to the Township which involves his families' farm. This plan will need to be signed. Eric will need to recuse himself from this plan.
- Frederick Way Water Run-off bid advertising for installing 4" curbing on the West side of Frederick Way.

Public Comment

- There was much discussion concerning installing curbing on the West side in lieu of and or in addition to the possibility of working on the swale on the East side, and Township legal obligations including comments from Kelly Charles, Mark Wrigley, Tammy Rineer, and Scott Kulicke. It was decided to move forward with the bid ad at this time. Bids can always be rejected if the plan changes. The Bid documents will be available on the Township website.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve moving forward with the bid advertisement for the Frederick Way Curbing Project. Scott called for the vote – All voted “Aye” – motion carried.

- Part-time Assistant for the Secretary. There was discussion on hours, pay, bonding and list of responsibilities. The Board decided to hold a work session for this topic so the advertisement approval was tabled. The Secretary was directed to reach out to neighboring Townships for comparisons.

Public Comments

- Gerry Parker, Zoning Officer for Eden Township was asked about the Secretary at Eden and her responsibilities and hours. She also announced she is retiring at the end of 2022.
- Mark Wrigley suggested using high school students part-time and also suggested having each employee write their own job descriptions.

At this time Scott Shoemaker suggested having a work session to discuss the matter further.

- Cameras at the Park- Scott received a quote from Mayes & Co. for an outside camera to be installed near the bathrooms at the park for \$ 937.00.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve purchasing the Camera from Mayes & Co. for \$ 937.00. Scott called for the vote – All voted “Aye” – motion carried.

Public Comment

- Owen Ryan suggested the cameras be put on the inside of a building but the building in question is the bathrooms and that would be illegal.
- Timeline for signing and notarizing plans- Lisa submitted an opinion and Eric would like to talk to her then he will report to the Planning Commission.
- Gerry Parker asked about the requested deferral letter for the Sam Lapp plan. The Secretary will write this letter and submit to Gerry.
- Seth Lisinski and Becky Kleinz expressed concern over the Rineer property located at 14 Edna Lane. Scott Shoemaker agreed to take a look along with the Zoning Officer this week. The Zoning Officer spoke to Scott Shoemaker on March 7, 2022 and claimed it is getting better but Seth Lisinski disagreed.

New Business:

- Approve advertising for stone, anti-skid and fuel. Bids will be advertised for an April 4, 2022 bid opening.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve moving forward with advertising for stone, anti-skid and fuel. Scott called for the vote – All voted “Aye” – motion carried.

- Approve attendance for the Supervisors and Secretary to attend the Lancaster County Association of Township Supervisors Spring Convention on March 29, 2022.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to approve moving forward with advertising for stone, anti-skid and fuel. Scott called for the vote – All voted “Aye” – motion carried.

- Approve Attendance for officials to attend the Lancaster 2040: Thinking Beyond Boundaries on Thursday March 31, 2022 from 8-4. There is room for two, Scott and Sam will attend.

A motion was made by Robin Church and seconded by Samuel R. Reinhart to approve Scott and Sam attending the Lancaster 2040 Meeting. Scott called for the vote – All voted “Aye” – motion carried.

- Accept resignation of Road Crew employee Mike Tome. The Board was very unhappy to see Mike resign.

A motion was made by Samuel R. Reinhart and seconded by Robin Church to accept Mike Tome's resignation with regret. Scott called for the vote – All voted "Aye" – motion carried.

Public Comments

- Mark Wrigley asked if the Township performed exit interviews. They do not but Scott Shoemaker spoke to Mike.
- Approve advertising for a Road Crew Employee.

A motion was made by Scott E. Shoemaker and seconded by Robin Church to approve advertising for a new Road Crew person. Scott called for the vote – All voted "Aye" – motion carried.

Correspondence

- Trout Stocking at Black Rock will be Friday March 18, 2022. Additional information will be on the website.
- Municipal Leaders Breakfast Invitation- This is for Supervisors and they will attend.

Any Other Business

- Gerry Parker asked about 525 and 555 Rosedale Road. Scott Kulicke answered her question.

Adjournment

- *There being no further business to be brought before the board, the board, on motion by Samuel R. Reinhart and seconded by Robin Church agreed to adjourn at 9:40 P.M. Scott called for a vote – all voted 'aye' – motion carried.*
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Respectfully Submitted,

Carmen B. Wiker, Secretary