

**HOPEWELL TOWNSHIP  
YORK COUNTY PA  
BOARD OF SUPERVISORS  
MINUTES FOR FOR REGULAR MEETING  
MUNICIPAL BUILDING  
THURSDAY, FEBRUARY 7, 2019 @ 7 PM**

Chairman Manifold called the February 7, 2019, Board of Supervisors meeting to order at 7:00 p.m. In attendance were Chairman: Aaron R. Manifold, Board Member: David T. Wisnom, Solicitor: Andrew J. Miller and Treasurer: Katie Miller.

**Approval of Minutes:** Board Member Wisnom motioned to approve the January 7, 2019, Reorganizational/Regular Board of Supervisors meeting minutes and the January 21, 2019, Special Meeting minutes. Chairman Manifold seconded the motion. Motion carried.

**Treasurer's Report/Invoices:** Chairman Manifold motioned to approve the January 31, 2019, Treasurer's Report and previously reviewed invoices listed in the report. Board Member Wisnom seconded the motion. Motion carried.

**Roads Report:**

**Filling potholes:** The potholes are being filled as they burst up threw with freezing and thaw cycle. If anybody is aware of any potholes call the township so it can be taken care of.

**Gemmill Road:** Culvert box replacement project to start in April. Hopewell Township's road crew is to be doing the work. Shrewsbury Township is to reimburse Hopewell Township for ½ the cost of everything because the pipe is ½ in each township.

**Tree Trimming:** This has been completed in preparation of this year's road projects.

**Winter maintenance:** This is being performed by doing ice and snow control. They are also moving the fuel tanks from the middle of the yard, off to the side of the yard which will open up space.

**Subdivision/Land Development Plans:** NONE

**Solicitor's Report:**

Bond Lane – Solicitor Miller talked to one of the developers of the lots and explained to her the situation that bonding has to be posted to do the paving or they need to do the paving before they can pull any more building permits for the remaining lots. The developer indicated that she believed there was a maintenance agreement that dealt with that road but Solicitor Miller has not heard anything additional from her on such maintenance agreement or how they intend on handling this. However, they are aware of the requirements.

Fire escrow – Solicitor Miller informed that there is insurance escrow money that by law the insurance company has to pay a portion of insurance proceeds into escrow with the municipality to make sure the structure is either rebuilt or torn down. The funds are escrowed so that funds are sufficient to cover carrying that out. Solicitor Miller reports that to his knowledge everything has been done to fix the property up on Sweitzer Road and the funds can be released now. Chairman Manifold made a motion to authorize release of the escrowed funds for the property damage by fire on Sweitzer Road. Board Member Wisnom seconded the motion. Motion carried.

Johnson Controls – Their letter of credit expires next month and needs to be extended. Solicitor is waiting on a response back on this.

Zoning Hearing on Bus Shelter – Enforcement action is scheduled for February 21, 2019. They filed an Answer to the Quiet Title Action for the High Grove properties or for the open space lot next to Bridgeview Development that they were trying to run their sewer across.

Act 537 Notices- Treasurer Miller reported to Solicitor Miller of the need to file 3 complaints in regards to ACT 537 notices. 3 property owners have not responded to the letters that requests they provide the pumping manifest for their on Lot septic system. Those 3 are:

Harry C. and Heather M. DeHoff of 1553 Woolen Hill Road  
Lauren E Jones of 1020 Hollow Road  
Melinda M. Toner 16181 Little Road

Board Member Wisnom motioned to authorize Solicitor Miller to file 3 complaints with the magistrate's office to pursue the property owners regarding the Act 537 notices. Chairman Manifold seconded the motion. Motion carried.

**Other Business:**

Personnel – Katie Miller has completed her 1<sup>st</sup> year of employment. She had her annual review on January 18, 2019. Chairman Manifold made a motion to recommend an increase of \$1.00 per hour for Treasurer, Katie Miller effective January 16, 2019. Board Member Wisnom seconded the motion. Motion carried.

ACT 537- The office received a request from a resident, Tom Malkie at 13252 Pleasant Plains Court in Hopewell Township. Mr. Malkie had his septic system pumped. Treasurer Miller stated that for Act 537 the township is in the second round. Her understanding is that if you were pumped the year prior to the year you are due that you are in compliance. Mr. Malkie is due in 2020. He is requesting to go back a couple of days in 2018 to be compliant. Currently if manifest reports are received for someone due next year the manager and/or treasurer is marking them compliant. This is setting residents off of their district cycle. Chairman Manifold remarks that in the beginning of ACT 537, being able to mark residents compliant a year ahead of time was basically a courtesy to allow them time to get done. Pumping companies were having issues being able to complete the volume of requests with all the increase of business. Now that ACT 537 is into it's second round, this no longer is a problem. Mr. Malkie would have until approximately September, 2020 to be compliant.

Treasurer Miller is suggesting the verbiage in the letters be revised to clarify ACT 537 so that residents must stay on their district cycle for pumping and not be marked compliant if pumped the year prior to their cycle. Rather than amending the ordinance at this time the Board has given permission for manager/treasurer to make adjustments in the verbiage of the letters sent out to clarify this matter.

Stewartstown Road – Dale McPherson of 2636 Stewartstown Road, Stewartstown, PA was present with water run off concerns. He wanted to give a history of where he lives before he got into the issue. He has been living there 45 years. When he moved in the road was dirt. Spring and Fall the road was muddy. In the winter it was icy and snowy. In the summer it was dusty. Township decided to put a very nice road to alleviate traffic off of 851. After doing so Dale McPherson says the road crew has never been better and the snow removal has never been faster. However, the way the road is constructed from the top of the hill, down to where Mr. McPherson lives has been an increasing problem with water running off the road into the yard. He reflected that recently an 85 foot spruce tree fell down. It is Mr. McPherson's belief that the tree fell because of the constant water run off. He did note that he does not believe that it fell because of the constant saturation with the all the rain we've had. He's wondering if something can be done about this issue. He's suggesting if more maintenance can be done more often that might help the issue. There is lots of sediment build up and debris. Chairman Manifold advises that the Board will look into this to see what can be done.

**Public Comment.**

Dale McPherson informed that he is on the Zoning Hearing Board and that they will be having a meeting in a couple of weeks about interpretation of ordinance. Mr. McPherson was inquiring of Solicitor Miller if this is more of a legal question than a matter for Zoning Hearing Board. Solicitor Miller reflects that the Zoning Hearing Board Solicitor will have to explain. Solicitor Miller states that it is his belief that what the Applicants asked for is an interpretation of the ordinance and the Zoning Hearing Board has the authority to interpret the ordinance. So if the

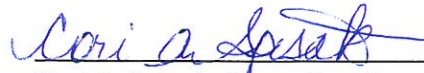
Hopewell Township / Board of Supervisors  
February 7, 2019

applicant disagrees with the Zoning Officer then one of the things they can do is go to the Zoning Hearing Board to see if they agree with the Zoning Officer.

**Adjournment.** Meeting was adjourned at 7:27pm by Chairman Manifold.

---

Kristy Smallwood, Secretary



---

Cori A. Spisak, Recording Secretary