

**MINUTES OF MEETING OF  
TYRONE TOWNSHIP BOARD OF SUPERVISORS  
ADAMS COUNTY, PENNSYLVANIA  
July 13, 2022**

The Board of Supervisors Meeting for Wednesday, July 13, 2022 was held at the Tyrone Township Municipal Building, 5280 Old Harrisburg Road, York Springs, PA 17372, Adams County, Pennsylvania.

**Members Present:** Chairman Russ Raub, Vice Chairman Mike Mosley, Supervisor Rosalie Dashoff, Secretary Sydney McFadden

**Others in Attendance:** Deputy Chief Wendell Herr – Heidlersburg Area Civic Association Fire Company, Dean Wonders, Karen Baral, Marianne Myers, Derick Martin, David Richwine, Dan Diviney, Nicole Thomas, Marge Barra, Karin Guise, Tammy Ruth, James Bucheister

**Call to Order:** Raub called the meeting to order at 6:00 PM.

**Pledge of Allegiance:** Raub led the Pledge of Allegiance.

**Approval of Board of Supervisors Meeting Minutes:**

Dashoff made a motion to approve the minutes for the June 22, 2022 Board of Supervisors meeting. Mosley seconded the motion. A vote was taken and the motion carried unanimously.

**Public Comments on Board of Supervisors Meeting Agenda:**

- Ms. Myers expressed that with regard to the Township Solid Waste agenda item, she is experiencing difficulty in obtaining a replacement trash provider since she received a letter from her provider, Waste Connections (WC), indicating it will stop providing service after August 1, 2022. Almost all residents present expressed they were experiencing likewise. She contacted Neiderer's for service, who expressed it could not cross Township lines to provide service. Ms. Myers suggested that the Township send a letter to Neiderer's expressing that it can cross Township lines. Raub responded that Neiderer's put residents on notice early last year that it will no longer serve the Township and that he made a personal appeal for Neiderer's to reservice Tyrone Township, who responded that since its trucks get 6 miles per gallon, it cannot service the Township. Raub continued that there is no prohibition for any trash hauler to provide service in Tyrone Township.
- Ms. Barra inquired if there was any contract signed for trash service. Raub indicated there was not. The Township was prepared to vote in favor of a waste contract with the Northeast Quadrant of Adams County and was waiting weeks for other townships to come to a decision on signing the contract, and so withdrew from the Northeast Quadrant. Ms. Barra suggested that the Township pursue a waste contract just for Tyrone Township.
- Mr. Wonders commented that he called Neiderer's and Waste Management (WM) and has not had any luck in obtaining a trash provider. Raub responded that in the past couple of days, he was aware of a resident who contacted WM, was provided a discount for being a previous customer, and was successful in obtaining service with WM.
- Ms. Guise commented that another township's solicitor made trash collection mandatory in their township and their township received bids for its waste contract; residents pay \$60.00 quarterly for trash collection. She expressed that a mandatory trash collection ordinance is the only way to get reliable service.
- Mr. Martin indicated he received the same letter from WC. Raub indicated that WC is stopping service after August 1<sup>st</sup> due to not obtaining enough customers in the Township.
- Mr. Diviney indicated he received the same letter from WC and that when he contacted WC as to why it could no longer service Tyrone Township after August 1<sup>st</sup>, WC informed him that it would need around 400 customers in the Township to continue providing service; it currently has around 180 customers in the Township. He sought to send a list of all Township residents to WC in an effort to get them to continue providing service.
- Raub commented that this is the first time the Township has received requests for an ordinance and that while the Township may not create an ordinance requiring trash collection specifically with WC, it may impose an ordinance on residents requiring waste collection.

- Ms. Guise inquired if the Township could send a letter to residents providing that if WC obtains around 400 customers, it will continue service in the Township. Raub responded that the Township cannot do that, but could do something similar; a letter containing verbiage such as, “based upon the population/number of households, the Township is aware that about 400 customers subscribing to WC could enable them to continue providing service to Tyrone Township,” would be possible. Raub continued that himself and Mosley invested considerable time with WC to get them to continue service in the Township, but WC could not continue due to not obtaining enough customers. Raub expressed that the Township has a good relationship with WC.
- Ms. Barra commented that some of her neighbors come together and pay for dumpsters to dispose of their trash.
- Ms. Myers inquired what others in Tyrone Township currently do to dispose of their trash. Raub responded that around 180 residents subscribe to WC, some subscribe to WM, and many dispose of their trash in unknown ways.
- Raub commented that the Board will consider the request for the letter to the residents, but not during this part of the meeting since this is for the Board to receive public comments.
- Ms. Myers inquired the process of enacting an ordinance. Raub explained that the Township identifies the legislative intent of the ordinance, drafts an ordinance, which is typically presented to the Planning Commission and discussed in Board meetings where public comment is received. Then, once everyone is agreeable to the draft ordinance, it is advertised as a Public Notice in the *Gettysburg Times*, on the Township exterior bulletin board, and on the Township website and a public hearing for the ordinance is then scheduled. Public comments are received during the hearing and then after the hearing, the Board votes on the ordinance; if 2 of 3 Supervisors vote in favor of the ordinance, then 5 days later, it becomes law.
- Mr. Diviney commented that Ordinances 2021-01, 2021-02, and 2022-01 on the Township website are not accessible to him, even though attempting to view them on multiple browsers. Raub responded that the Township will look into this and inquire for technical assistance.
- Mr. Wonders inquired the timeframe if the Township were to propose an ordinance requiring mandatory trash collection. Raub responded that it would be into next year until the ordinance would go into effect.
- Ms. Myers inquired if an exception to Ordinance 2021-01 could be made for the burning of trash. Raub encouraged her to contact the Township Code Enforcement Officer if she has specific inquiries related to ordinances and that Ordinance 2021-01 is more about notifying Adams County Emergency Services of open burns.
- Mr. Bucheister inquired what Ordinance 2021-01 imposes. Raub responded that it attempts to prevent noxious fumes and gases that have made residents sick on the local level. Mr. Bucheister inquired if the smokestacks in the air produced different gases than those on the ground level. Raub encouraged him to contact the Code Enforcement Officer or the Township Constable to address this.
- Ms. Myers inquired WM’s phone number and McFadden provided it to her as well as to Mr. Wonders.
- Mr. Diviney offered ideas for language in a waste contract that could help elicit bids.

### **Old Business:**

#### **Mobile Emergency Operations Center (EOC):**

The Township EMA will provide the Township with the Bill of Materials for the mobile EOC by August 1, 2022. The EMA featured the EOC at a second Northern Adams Regional Emergency Management Association (NAREMA) meeting and there was nearly 100% interest in it from all NAREMA members.

### **New Business:**

#### **3485 Oxford Road:**

Mr. Martin of 3485 Oxford Road sought an acknowledgement letter from the Township for a second driveway he wishes to construct on his property. Since the Subdivision and Land Development Ordinance only permits one (1) driveway per residence, the Board will not exempt anyone from obeying an Ordinance; however, the Township will look into whether it would be possible for Mr. Martin to pursue a variance through the Zoning Hearing Board and will get back to him.

### **Township Solid Waste:**

Mosley made a motion for the Township to look into pursuing an ordinance for required waste collection in the Township. Nobody seconded the motion, so the motion died.

Mosley made a motion for the Township to contact WM for a waste contract with the Township. Nobody seconded the motion, so the motion died.

Mosley made a motion for WM to collect trash from the Township Facilities. Dashoff seconded the motion. A vote was taken and the motion carried unanimously.

### **Fire Box Changes:**

The Board reviewed the proposed fire box changes from Adams County. Deputy Chief Herr indicated that the previous fire boxes were driven by streets and intersections, and the proposed fire boxes are driven by property lines. He further indicated that residents will not see a substantial change in service with respect to the proposed fire boxes.

### **Sauble, Boyer, McNair Subdivision Plan:**

Raub made a motion to approve the Final Subdivision Plan for Mathew Sauble and Mark Sauble, Tracy Boyer, and Lori McNair without review due to no improvements or changes proposed to the portion of the property within Tyrone Township. Dashoff seconded the motion. A vote was taken and the motion carried unanimously.

### **Envirep Annual Service:**

Mosley made a motion to renew the Envirep Annual Service at a price not to exceed \$1,840.00. Dashoff seconded the motion. A vote was taken and the motion carried unanimously.

### **Active Subdivision/Land Development Plans (Informational Only):**

- Hillandale Site 3 Land Development Plan: Action Deadline August 28, 2022
- Nicole Thomas Land Development Plan: Action Deadline October 12, 2022
- Peter Koufos Land Subdivision Plan: Action Deadline October 12, 2022
- Knouse Foods Land Subdivision Plan: Action Deadline October 12, 2022

### **Meetings:**

Tyrone Township Zoning Hearing Board Special Exception Hearing – Mancini July 19, 2022 at 6:00 PM at the Township Building, 5280 Old Harrisburg Road, York Springs

Tyrone Township Board of Supervisors Meeting July 27, 2022 at 6:00 PM at the Township Building, 5280 Old Harrisburg Road, York Springs

### **Public Participation:**

- Mr. Bucheister inquired when Ordinance 2016-01 imposed the septic system inspection cycle of July 1 of one year to June 30 of the following year. Raub indicated since January 1, 2016. Mr. Bucheister continued that he received the notification letter from the Township Sewage Enforcement Officer indicating the septic system inspection cycle of July 1, 2022 to June 30, 2023 for his property in District 1. Mr. Bucheister indicated that his septic system was inspected three (3) weeks prior to the cycle's start, and inquired if he could be exempt from the inspection cycle. Raub indicated that a report from a Township registered pumper/hauler indicating an inspection within the cycle would need to be received by the Township.
- Mr. Diviney stated that since the Commonwealth requires the Township to impose mandatory inspections every three (3) years upon residents with septic systems, his septic system is inspected in August of the year prior to its due date, thinking that this changed his cycle. He expressed that he is grateful for attending this meeting to learn of the septic system inspection cycles.
- Ms. Guise inquired if pumper/haulers could inspect septic systems but not pump them. Raub responded in the affirmative. Mr. Wonders added that sometimes the haulers have to see the baffles in the septic systems to inspect them, which would require a system to be pumped.

- Wonders indicated that last year, the Board voted unanimously for the Constable to be compensated for providing peacekeeping services during Board meetings and encouraged the Board to reconsider this, as the Constable was previously on the Board and resigned from his position as Township Supervisor. Raub indicated that the Constable will not be providing peacekeeping services at Board meetings.
- Ms. Guise indicated that she resides on Van Cleve Road, which is breaking apart due to Hillandale truck traffic, and that she expressed her concern for the road's condition to the Township Road Manager, who was wonderful in providing her with information. Raub responded that the Township will be patching Van Cleve Road for now, and Hillandale has an agreement with the Township where Hillandale will hire a professional paver to repave the road while the Township will purchase and provide the paver with material. Presently, Hillandale has a major project that it is undertaking, and until that project is completed, the projected amount of construction traffic from this project will likely damage the road further. The Township is faced with the quandary of limping along, although the road is not presently the way it should be, or repeatedly fixing the road to the way it should be.
- Mr. Diviney inquired for the water feasibility study from the Hillandale Site 3 Conditional Use Hearing. Raub indicated that the Township has not yet received this, nor have the conditions imposed upon Hillandale as a result of the Hearing been published yet. Mr. Diviney inquired when the Township thinks it will receive these documents. Raub indicated within 30 days and that the Township can contact him when they are received.

### **Adjournment:**

Mosley made a motion to adjourn at 7:53 PM and Dashoff seconded the motion. A vote was taken and the motion carried unanimously.