

**MINUTES OF MEETING OF
TYRONE TOWNSHIP BOARD OF SUPERVISORS
ADAMS COUNTY, PENNSYLVANIA
APRIL 18, 2017**

The Board of Supervisors Meeting for Tuesday, April 18, 2017 was held at the Tyrone Township Municipal Building 5280 Old Harrisburg Road York Springs, PA 17372, Adams County, Pennsylvania

Members Present: Chairman Lee Roe, Supervisor Russ Raub, Secretary Sherri Hartman

Others in Attendance: Erik Vranich, Nick Shearer, Terry Sheldon, Dave Sharrer, Matt Sharrer, Richard Sharrer, Mary Ellen Settle, David Richwine, and Greg Kepner

Call to Order: Chairman Lee Roe called the meeting to order at 7:00 pm.

Pledge of Allegiance: Chairman Lee Roe led the Pledge of Allegiance

Approval of Previous Months Minutes: Roe made a motion to approve the minutes for March 15, 2017. Raub seconded the motion and the motion passed unanimously.

Approval of Monthly Bills: Roe made a motion to approve the bill payments. Raub seconded the motion and the motion passed unanimously.

Old Business:

Terry Sheldon presented a Phase II Final Minor Land Development Plan for Agricultural Commodities, Inc. Mill Addition Plan. Conditions were discussed and Erik Vranich proposed the following question to the representatives of AG COM:

Do you understand and accept the conditions as they are laid out in this agreement?

Responses: Dave Sharrer – Yes
 Matt Sharrer – Yes
 Richard Sharrer - Yes

Roe made a motion to approve the Phase II Final Minor Land Development Plan for Agricultural Commodities, Inc. Mill Addition Plan, prepared by Terrence L. Sheldon subject to the following conditions:

1. Satisfaction of the comments set forth in William F. Hill & Associates review letter dated February 22, 2017, paragraphs 1-11 inclusive.
2. The execution by Agricultural Commodities, Inc. and the Township of a Land Development Agreement which shall contain, but not be limited to, the following terms and conditions:
 - a. Phase II Pending Approval Conditioned upon a signed Land Development Agreement (outlined below). [Note: the approval of Phase II allows the Developer to move forward on construction of Phase II, but Developer will not have a right to occupy the Phase II improvements until Developer receives a Conditional Use and Occupancy Permit for Phase II].
 - b. In order to receive a Conditional Use and Occupancy Permit for Phase II, Developer must obtain:

1. Fully executed Agreement of Sale for Phase III acreage
2. ZHB Variance approval for Phase III acreage
3. Subdivision Approval for Phase III acreage.

c. Then, upon completion of b, above, Developer must submit a Land Development Plan for Phase III, inclusive of internal traffic study.

d. Upon completion of subparagraphs b and c, above, the Township shall issue a Conditional Use and Occupancy Permit for Phase II, subject to the Developer meeting the requirements of the Township's building codes (including, but not limited to, the 2009 International Building Code) as determined by the Township's Building Code Official. The Conditional Use and Occupancy Permit will be expressly conditioned on the following:

1. Final Land Development Approval of Phase III and the posting of a performance bond within 6 months of issuance of the Conditional Use and Occupancy Permit for Phase II.
2. Substantial Completion of Phase III within 18 months of the issuance of the Conditional Use and Occupancy Permit for Phase II

e. If the Developer does not satisfy the conditions of paragraph d. 1 and/or 2, above, within the time frames set forth above, the Township shall withdraw the Conditional Use and Occupancy Permit and the Developer must vacate the improvements.

Raub seconded the motion and the motion passed unanimously.

Erik Vranich asked the Developer if the Developer agrees with and consents to the conditions as just outlined. Dave Sharrer responded Yes, we accept the terms and conditions. Matt and Richard Sharrer agreed.

Roe called for a vote. The vote passed unanimously.

Roe made a motion to accept the Developers Agreement after the agreement has been reviewed and accepted by the Solicitor, Tim Shultis. Raub seconded the motion and the motion passed unanimously.

Phase III Variance: The application has been submitted for the Variance Hearing. No date has been set at this time. Raub offered to attend the meeting to represent Tyrone Township and their support in this matter.

New Business:

Hamilton & Musser was represented by Nick Shearer. Mr. Shearer presented the 2016 Financial Report. Raub made a motion to accept & adopt the 2016 MUNICIPAL ANNUAL AUDIT AND FINANCIAL REPORT FOR THE YEAR ENDED DECEMBER 31, 2016 AND THE INDEPENDENT AUDITOR'S REPORT. Roe seconded the motion and the motion passed unanimously. The report will be posted on the bulletin board for public viewing.

Wm. F. Hill & Associates, Inc. was represented by Erik Vranich. Mr. Vranich presented the Jere Lady Subdivision which is located on Chestnut Hill Road. The Board reviewed the revised plan and recommendation were made. Roe made a motion for conditional approval of the Jere Lady Preliminary/Final Subdivision Plan with the conditions being satisfactory completion of all items within the Wm. F. Hill & Assoc., Inc. letter dated 3/27/2017, including the addition that the sales agreement shall include a set date by which the transfer of Tract 2B to Lot 2 will occur. Raub seconded the motion and the motion passed unanimously.

The board discussed the improvements at the Heidlersburg Waste Water Treatment Facility. Erik Vranich will develop a timeline between the funding requirements and potential bidding requirements. Additional information is to be obtained regarding the CFA Small Water & Sewer Grant Program and the CDBG Program. All information obtained will be presented at the next meeting.

Meetings:

Township Planning Commission meeting tentatively May 11, 2017 at 7:00 p.m. at the Township Building.
Township Board of Supervisors meeting May 16, 2017 at 7:00 p.m. at the Township Building.

Public Participation:

David Richwine stated that he has been receiving unwanted mailings from 811. He requested the township contact the company and have the mailings stopped. Roe explained that Mr. Richwine would need to contact the company regarding unwanted junk mail.

Raub requested information regarding the relocation of the Fire Siren. Roe stated that Jim Lady would be available to answer Fire Department related questions at the next meeting.

Adjournment: Roe made a motion to adjourn at 7:57 p.m. Raub seconded the motion and the motion passed unanimously.