

Chairman Nelson Brenneman called the regularly scheduled meeting to order at 7:04 p.m. Supervisors present: Dennis Luckenbaugh and Rodney Shearer. Present on behalf of the Township: Esther Clark and Solicitor Andrew Miller. Also present: Recording Secretary and 10 citizens.

Chairman Brenneman announced that an Executive Session was held at 6:30 p.m., prior to tonight's meeting, to discuss personnel. No action was taken.

I. **Minutes**

Motion by Shearer, second by Luckenbaugh, to approve the minutes of the Reorganization Meeting of January 2, 2018. All members voted aye; motion carried.

II. **Treasurer's Report**

A. **Motion** by Luckenbaugh, second by Shearer, to approve the Treasurer's Report for December 2017 and January 2018 as presented. All members voted aye; motion carried.

III. **General Public Comment**

A. Sean Haggarty, 2203 Strickhouser Road, Seven Valleys, thanked the Township for its collective efforts in resolving the Jacob Myers situation.

IV. **Police Report**

Chief Bean gave the police reports for December 2017 and January 2018. A press release was distributed in a hit-and-run at Goofy's Tavern. A robbery on Rockery Road was solved using videotape footage. Another press release was distributed today from a hostage situation on Kraft's Mill Road. The male was charged in that incident.

Also, the officers and Township are still negotiating the police contract.

V. **Fire Company Report**

Tim Carr gave the fire company reports for December 2017 and January 2018.

VI. **Permits, Plans, and Modules**

A. Salem Overlook (Kinsley) – request for reduction of \$275,777.60 from letter of credit. Buchart Horn recommends reducing the amount by only \$260,719.30 because of some work that still needs to be done. **Motion** by Luckenbaugh, second by Shearer, to reduce the Salem Overlook letter of credit by \$260,719.30, per Buchart Horn's recommendation on a memorandum dated February 14, 2018. All members voted aye; motion carried.

B. Gutman Twinland, LLC, Land Development Plan #8133-17 – ZHB approval?

A Land Development Plan has been submitted and is currently in process. The question is – Do they need to obtain a Special Exception from the ZHB? Zoning Officer Keith Hunnings also noted that the applicant had one year within which to complete his project, and he has not. Attorney Miller clarified – According to the current Ord#195-18-3D, if smaller setbacks are needed- a Special Exception would be required. After looking at the Plan, he feels that they aren't anywhere near residential structures or dwellings. Therefore, he doesn't feel they would

need to go to the ZHB. There was additional discussion of the number of cows that the applicant has, which will determine if this is a CAFO or not. **Motion** by Brenneman, second by Luckenbaugh, to table the Gutman Twinland, LLC, matter (LDP #8133-17). All members voted aye; motion carried.

C. Lynwood Phase 2C, #160317, permit parking on the street?

Motion by Brenneman, second by Luckenbaugh, to say NO PARKING on the streets in Lynwood. By way of discussion: Tom Steele, 1856 Pin Oak Drive, was present to suggest that the area of the turn is of most concern. *Vote:* All members voted aye; motion carried.

D. Lake Club properties – Request for an authorization letter to list parcels separately.

Ron Brown, GHI, was present on this matter. Larry Redding is in the process of purchasing these lots. They would like the two residential lots in the front to be separate from their original deed. Discussion was held on the current situation of this area. Attorney Miller explained that the zoning ordinance is written for purposes of determining what can be subdivided off – it looks at whatever was in common ownership on the applicable date (1998). Henceforth, it is considered as one tract, as a whole, and must adhere to the provisions of the ordinance to separate this tract. The purpose of the RAC district, is to protect farms from being subdivided. The applicant is requesting from the Board to issue a letter stating that a subdivision plan is not required. The Board is not amenable to that idea. The request was denied.

VII. Administrative Reports

A. Supervisors' Reports

Nelson Brenneman – In the Bahn development, with the snowplow, he clipped a large stone which was in the ROW at the edge of someone's property. The passenger's side step was knocked off the snowplow truck. He feels that the owner of the stone is liable for the damage and that he must move the stone. The Township can attempt to bill the homeowner for the damage and go from there.

Rodney Shearer – materials bids are being prepared. **Motion** by Brenneman, second by Luckenbaugh, to authorize Mr. Shearer to advertise the materials bids for the March meeting and proceed accordingly. All members voted aye; motion carried.

Dennis Luckenbaugh – Ambau Road needs some attention near Goofy's; water is starting to get under the road. Also, the outside Township sign needs new software. Mr. Luckenbaugh requested permission to purchase the new software. **Motion** by Shearer, second by Brenneman, to authorize Mr. Luckenbaugh to use \$600 to obtain new software for the Township sign. All members voted aye; motion carried.

B. Manager's Report

1. York County SPCA 2018 agreement/allocation of \$4,453.00. **Motion** by Luckenbaugh, second by Shearer, to approve the allocation of \$4,453.00 to the SPCA for 2018. Two members voted aye; *Brenneman opposed*. Motion carried. Is there ever a list provided as to how many animals are actually turned in? Esther will see if such a list can be obtained.

2. Discussion was held on HB1620, and whether the Township should oppose this Bill. There was a fair amount of confusion surrounding this issue. **Motion** by Shearer, second by Brenneman, to *table until next month* Resolution #04-01-2018 to *oppose* HB1620 "Wireless Infrastructure Deployment Bill." All members voted aye; motion carried.

3. **Motion** by Shearer, second by Luckenbaugh, to approve the use of Fire Police and to provide written consent for the YWCA's 14th Annual Sprint Triathlon on June 24, 2018, starting at the York Water Company's employee center at Lake Redman. All members voted aye; motion carried.

4. Business Information Group (BIG)-Proposal of \$973.56/yr. for Network Management Services. This will reduce the cost for having a technician appear onsite. By purchasing this program, we will have 24/7/365 network security, Firewall protection, Microsoft updates and proactive detection. This will eliminate costs for bi-annual maintenance, anti-virus license renewal and Log me in remote access. Benefits- savings of \$300/yr., and daily management service for most current updates and security. **Motion** by Shearer, second by Luckenbaugh, to *table* this matter until further information can be obtained. All members voted aye; motion carried.

C. Engineer's Report

No questions or discussion.

D. Solicitor's Report

1. Jacob Myers- Attorney Miller reported that there's been no response from the defendant, so that means it's a judgment by default. From the audience, Sean Haggarty, gave a bit of history on this case. The Board would be willing to work with Mr. Myers to resolve the whole issue. Mr. Shearer would just like Mr. Myers to repay the costs that the Township has accrued and clean up the mess on the property, and that's would be fine. Mr. Miller suggested that they calculate the fine at the lower amount, enter the judgment on that basis, the fine accumulates on a daily basis, and if Mr. Myers gets in compliance, the Board would be willing to work with him to reduce the judgment.

Motion by Shearer, second by Luckenbaugh, to set the judgment at \$5,000. All members voted aye; motion carried.

2. Act 43 of 2017 Article XXIV Fireworks – Mr. Miller noted that this and some other information was provided; he will provide more information to the Board members if they wish.

3. Eichelberger U-Pull-It/Escrow \$5K - Brian Sterner, representing Harry Darrah, called inquiring about the junk yard license renewal. The attorney for Mr. Darrah contacted Mr. Miller to say they will make the appropriate changes to the property. Mr. Miller suggested that he contact Mr. Shearer. Mr. Shearer gave the history of the LDP on the other side of the road from the junkyard. How to proceed? The stormwater must be controlled. Attorney Miller noted that storm water measures were not included in the original Motion about the \$5K escrow payment. Discussion was held on what actually happened and what the Township required and what the applicant did or didn't do. Mr. Miller suggested that the applicant meet with Mr. Shearer and come to some agreement to resolve the \$5K escrow to fix the parking on the salvage side and to place the flashing lights and to resolve the LDP for the opposite side of the road. Mr. Shearer will indeed meet with the applicants and/or their representative to take care of this. Question: Did we renew the junkyard license? Mr. Miller recalls that he suggested to the Board to renew the license for 6 months with conditions to remedy the parking concerns, allowing the Business to have sufficient time within which to accomplish these conditions. Clarification: Yes, their license has been renewed for the period of Jan.1st – Jun 30th, 2018.

VIII. Old Business

A. [Darrah/Eichelberger addressed above.]

IX. New Business

A. N & G Holdings' request for Ag Security Area inclusion for newly acquired land. We will calendar the application for the 180 days, after which we will need to approve and record by Resolution. No action necessary at this time.

B. Sterner property, 3939 Salem Road, request for Ag Security Area inclusion. Again, same as above, no action to be taken at this time.

C. Recreation Board – Craig Miller requests to take the alternate position on the Recreation Board, due to health issues. **Motion** by Brenneman, second by Shearer, to appoint Craig Miller to the alternate position on the Recreation Board. All members voted aye; motion carried.

D. **Motion** by Luckenbaugh, second by Shearer, to appoint Travis Jones (currently an alternate) as a member of the Recreation Board. All members voted aye; motion carried.

Mr. Luckenbaugh relayed the fact that Mr. Jones wants to open a concession stand. Mr. Luckenbaugh expressed his concerns with the idea of possible bathroom facilities. Mr. Jones hasn't officially requested permission to do this, but there's been discussion on the possibilities.

Discussion on the current trash contract expiring at the end of this year, Mr. Luckenbaugh asked Attorney Miller to prepare a new contract and to include that a tote for each resident will be provided by the collector.

Mr. Shearer asked for clarification regarding non-conforming uses. Explanation was given by Mr. Miller.

Esther relayed that the Township currently has water service provided by Crystal Springs. We have been offered the same service from LifeSource (Travis Jones) but will only be charged for the number of bottles we use, a savings estimate of \$240.00/year. **Motion** by Luckenbaugh, second by Shearer, to authorize the Township office staff to make this change. All members voted aye; motion carried.

After a brief discussion on the police budget situation, Mr. Luckenbaugh noted that if the Township were to withdraw from the SWRPD, the NCT property tax can be eliminated. So noted.

X. Announcements

A. The Rec Board meets on February 26, 7 p.m.

B. The Planning Commission meets on February 27, 7 p.m.

C. The Southwestern Regional Police Board meets on March 14, 7 p.m., at police headquarters.

D. The Board of Supervisors will meet on March 20, 7 p.m.

Mr. Shearer discussed the materials and some confusion surrounding the FB stone.

Motion by Luckenbaugh, second by Shearer, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:05 p.m.

Respectfully submitted,

Sharon Kerchner,
Township Secretary/Manager

Julie B. Maher,
Recording Secretary