

Chairman Nelson Brenneman called the regularly scheduled meeting to order at 7:00 p.m. Supervisors present: Dennis Luckenbaugh and Rodney Shearer. Present on behalf of the Township: Manager Sharon Kerchner and Solicitor Andrew Miller. Also present: Recording Secretary and 12 citizens.

I. **Minutes**

Motion by Shearer, second by Luckenbaugh, to approve the minutes of the meeting of March 23, 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 March 2018 as presented. All members voted aye; motion carried.

III. **General Public Comment**

Nothing at this time.

IV. **Police Report**

Chief Bean gave the police report for March 2018. He provided copies of the police budget, which is currently under discussion. At issue, without NCT's approval, the police budget will be \$36K short, comprising the 1.75% increase requested. He noted that the average per-person cost of the regional police services in Pennsylvania is about \$161; SWRPD is at \$115.

Mr. Brenneman has a problem with the police employees' spouses being on the police insurance and on the spouse's policy, too. He feels that it's greedy to have two coverages. Chief Bean noted that this is not unusual and is indeed an option.

Mr. Luckenbaugh asked about the portable sign that is not being used for police business. At this moment, it is advertising for bingo for the Borough. Chief Bean noted that the Borough paid half of the cost of the sign and consequently, the Borough uses the sign a lot, for a variety of reasons. However, when the police need the sign for police business, it is used for that matter. Chief Bean suggested bringing this concern to the attention of the SWRPD Board, for some type of resolution.

V. **Fire Company Report**

Tim Carr gave the fire company report for March 2018. Of note, the department is continuing to upgrade its safety measures and equipment.

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

A. Final Land Development Plan for Gutman Twinland, LLC; Plan #8133-17, Krafts Mill Road

Steve Detwiler and Kris Raubenstine were present on this plan, which involves a large animal housing facility. The cattle that are currently in pasture will be transferred to the facility to permit the fields to rejuvenate. Still to obtain: PennDOT permit and NPDES permit.

Discussion was held on why the Township is requiring a land development plan for the construction of an agricultural building. The Township Ordinance **does NOT** require a LDP for

an Agricultural Building, as a secondary structure. However, the Department of Environmental Protection requested that this facility be built in order to resolve the current undesirable agricultural situation, in lessening the pollution from going into Codorus Creek and area erosion. Thereby, requesting that a LDP be submitted to the Township, for review.

Since the waivers have been brought to the BOS, Mr. Shearer noted that he has no problem granting the requests, in order to keep the process in motion.

It was also noted that the name of the applicant on the plan (Gutman Twinland LLC) was slightly different from the name on the deed. The two should match.

Attorney Miller reviewed the stormwater agreement. Unfortunately, it's not recordable the way it is submitted, he said. There's a slight discrepancy in the owner of the plan and signatory information. Mr. Raubenstine said they can certainly correct that. This Agreement should indeed be recorded when it is in appropriate form.

Buchart Horn's memorandum dated March 26, 2018, was checked. Mr. Shearer was questioning as to why Mr. Wayne referred to the requirements under the SALDO, when it's not even a subdivision. He's still not sure why this applicant has to jump through all these hoops just to put up an agricultural building.

Waiver requests are as follows;

- 1- lot line markers (Section 165-29.C(8));
- 2- plan certificates (Section 165-29.E(1));
- 3- property boundary markers (Sections 165-33.C(2) and 165-40);
- 4- GPS locations for new property boundary markers (Section 165-34(M));
- 5- Access drives (Section 165-43.A)

Motion by Shearer, second by Luckenbaugh, to approve the waiver requests by Gutman-Twinland for the following Section numbers, as outlined above: 165-29.C(8); 165-29.E(1); 165-33.C(2) and 165-40; 165-34(M); and 165-43.A. All members voted aye; motion carried.

Motion by Luckenbaugh, second by Shearer, to approve the Planning Waiver and Non-Building Declaration and to forward same to DEP. All members voted aye; motion carried.

Motion by Luckenbaugh, second by Shearer, to approve the Final Land Development Plan for Gutman Twinland LLC, #8133-17, Krafts Mill Road, with the following conditions: the stormwater agreement must be recorded AND (Item 3 from Buchart Horn's Memorandum referred to above) correct the fact that the plan certificates for the Ownership, Township Planning Commission, and Township Engineer do not match the wording contained in appendices 2 and 3 (Section 165-29.E and 3). All members voted aye; motion carried.

B. Final Subdivision Plan, Lynwood Phase 11-C, #160317, Lynwood Drive

Jeff Spangler and Tom and Amy Steele were present on this plan. Outstanding issues: Planning Module approval, posting a Letter of Credit, and the Developer's storm water agreement.

From the audience, John Brenneman asked what will happen with the stormwater in the front lot (?). Part of that water drains onto his property. Discussion was held on the maintenance of the pipe and the ownership of the easement in question. The Steeles don't think they own the property that includes the easement. The previous plan was examined to try to answer some of these questions.

Attorney Miller noted that there are easements on the plan, but it's unclear where the piping goes. Clearly, more research is required. The applicants will contact their original

engineer, Jason Brenneman, (who couldn't be here tonight) to see if they can get answers to these questions.

VII. Administrative Reports

A. Supervisors' Reports

1. Materials bids – **Motion** by Shearer, second by Luckenbaugh, to award the bid for stone to York Building Products; and the DSA to Vulcan as low bidders. All members voted aye; motion carried.

Motion by Shearer, second by Luckenbaugh, to award the bid for all Superpave Material to York Materials Group. All members voted aye; motion carried.

Motion by Shearer, second by Luckenbaugh, to award Placement of DSA and 2A Modified, to Stewart and Tate. All members voted aye; motion carried.

Motion by Shearer, second by Luckenbaugh, to award Placement of Superpave 19 mm., to Yohe Paving. All members voted aye; motion carried.

2. SWRPD Budget discussion – Mr. Brenneman will not approve the Budget with the current insurance numbers the way they are.

Motion by Brenneman, second by Luckenbaugh, to *deny* the SWRPD Police Budget based on the insurance information/coverage presented in the police budget.

Discussion on the above Motion: Chief Bean spoke, noting that there was a contract already signed, which provides details of what kind of insurance the employee gets. The contract that exists, cannot be changed at this point. Chief Bean also noted that when comparing with other Departments in York County, our department comes in the same or much lower. It was supposed that arbitration might well result in increasing, not decreasing, the insurance cost. Chief Bean reminded the Board that the Department has indeed received an insurance rebate for several years, and that rebate is applied to the insurance bottom line. Mr. Shearer has a problem with the total budget – he feels that there are actually two total budgets, (proposed/actual) and that the costs are \$88K apart. For that reason, Mr. Shearer doesn't know what Budget numbers were used in this comparison.

Chief Bean spoke, they have a policy that an officer is required to carry a taser, unfair labor practices if he doesn't have it, because we aren't providing it to him, and now there won't be money in the budget for replacing the ones that need to be replaced. Chief Bean continued, If North Codorus Township does not approve the SWRPD Budget tonight understand what you have to do--find out how to provide less than \$36K in services and equipment.

Vote on the Motion: All members voted aye; motion carried. **Police Budget denied.** Mr. Luckenbaugh voiced his opinion that the Township isn't getting what they're paying for in this police budget/cost per person/shared costs, etc. He's not against the police or the job they do. Chief Bean noted that for 2017, the SWRPD responded 2000 times to calls from NCT residents. He feels that the state police cannot provide the same service.

Mr. Luckenbaugh noted that the Township sign can now be changed via the Manager's computer. Wonderful news! And it's displaying the correct time, too!

B. Manager's Report

1. Republic Services, extension for 2019. Original contracted amount for the final extension year 2019 was \$24.62/month for regular service and \$8.27/bag for low-volume

customers. **Motion** by Brenneman, second by Luckenbaugh, to extend the contract with Republic Services for 2019. All members voted aye; motion carried.

2. DEP, Chapter 94-Annual Wasteload Management Report was reviewed and accepted.

C. Engineer's Report
No discussion or questions.

D. Solicitor's Report
1. Attorney Miller requested an Executive Session to give an update on the Jacob Myers situation.

VIII. Old Business

A. Eichelberger U-Pull-It/Escrow \$5K update – plan to be submitted to the Township (per email from Robert Katherman to Mrs. Kerchner). Shouldn't this plan go before the Planning Commission first? It sounds like Attorney Katherman wants to present the plan directly to the Board of Supervisors. Attorney Miller says that is the Board's choice and decision. Mrs. Kerchner will tell Mr. Katherman to present the plan to the Planning Commission first.

IX. New Business

A. Received 2018 Liquid Fuels payment on 3/29/2018, in the amount of \$369,709.21.

B. Fee for leaf collection – keep at current rate of \$65 for two 20-minute pickups?

Motion by Brenneman, second by Luckenbaugh, to keep the leaf collection fee at the same rate. All members voted aye; motion carried.

C. The Recreation Board has requested two smaller child swing seats to replace two adult swing seats – rubber bucket swing chair for toddlers, NTE \$62.00; enclosed swing seat NTE \$92.00. **Motion** by Brenneman, second by Luckenbaugh, to approve this expenditure. All members voted aye; motion carried.

Discussion was held regarding the Townships Re-organizational meeting that was held on Jan. 2, 2018, that because the Supervisors motioned to *eliminate* the Township Fire Company Fire Chief-30 position, it ultimately removed the authorization to enforce the Township Fire Prevention Ordinance from NCT Fire Company Chief. The fire prevention ordinance prohibits engaging in fire fighting activities without the approval or permission of the fire chief. **Motion** by Luckenbaugh, second by Shearer, to appoint the NCT Fire Company Chief as the Township Fire Chief, and to assume all responsibilities and duties of the Township Fire Chief within the Township. All members voted aye; motion carried.

X. Announcements

A. The Rec Board will meet on April 23, 7 p.m.

B. The Planning Commission will meet on April 24, 7 p.m.

C. The Southwestern Regional Police Board will meet on May 9, 7 p.m., at police headquarters.

D. The Board of Supervisors will meet on May 15, 7 p.m.

Mr. Shearer said that one of the Supervisors attends a Recreation Board meeting he is attending not on behalf of the Supervisors. Plus, the Rec Board requested that more detailed minutes be taken of their meetings, requesting almost a transcript. Mr. Shearer doesn't want the Township Staff (namely Esther) to take up so much time preparing those minutes.

At 9:26 p.m., the meeting *recessed* to an Executive Session.

At 9:53 p.m., the meeting *reconvened* with no action taken.

Motion by Luckenbaugh, second by Shearer, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:55 p.m.

Respectfully submitted,

Sharon Kerchner,
Township Secretary/Manager

Julie B. Maher,
Recording Secretary