

Chairman Nelson Brenneman called the Recessed meeting to order at 8:05 a.m. with the following in attendance:

Supervisor Dennis Luckenbaugh  
Supervisor Rodney Shearer

Sharon M. Kerchner, Manager  
Solicitor Stephanie Kogut  
Approximately 20-Citizens

### **I. Public Hearing**

Solicitor Kogut presented Ordinance #281-12-2019 – Authorizing the Township to Join with Northern York County Regional Police Commission as a full participant member.

**Motion** by Shearer, second by Luckenbaugh, to open for Public comments, all members vote aye; motion carried.

#### **Public Comment**

Willa Lefever- Lehman Rd, thanked everyone for coming out. On Nov. 7<sup>th</sup> you voted unanimously to void from the contracted services with NYCRP to become a full participant member. If this decision is in the best interest of the township, why did the Board sneak the vote in during a meeting that you knew that very few residents would be able to attend? And why couldn't today's meeting wait until Dec. 17<sup>th</sup>, the next regular scheduled evening meeting?

Bill Keiser – Lehman Rd, Repeated comments from above.

Steve Hess – Highpoint Lane- Just a question, will the BOS answer the question why they decided to make this change. Mr. Shearer commented that when we try to answer questions, it seems that no one wants to listen, that they want to tell us what to do.

Solicitor Kogut clarified, that the meeting held on Nov 7<sup>th</sup> the Supervisors did not vote to change the agreement, the vote was to authorize the Solicitor to prepare and advertise an ordinance for the consideration to join NYCRPC as a full participant member. That is what they are discussing here today, and to allow for public comments.

Steve Hess – repeated the question. Mr. Shearer started to explain, that when residents came here to asked for all of the SWRPD municipality members to merge with NYCRPD, that did not happen. When NYCRPD came to the other 3 municipalities with a price offer, to encourage them to come, the agreement was for membership, not contracted services. Because of the liability of hiring 10 officers and within 5 yrs. they can all walk out and leave the expense of these officers with the rest of their board members. So, there was discussion that if maybe NCT would consider joining as a member, that the 3 other municipalities could then be offered contracted services, since they are smaller. We believed that would help the other municipalities, that was the reason for this change.

Kelly Fuhrman – View Dr., wishes it would have turned out differently, and that she is sorry we are losing our police department.

Denny Ilyes – Dennis Lane “I was at Nov. 7<sup>th</sup> meeting and we discussed the option of joining as a member. Because, if we are going to be with this Police Board, I thought we should

have a say. But with that being said, that was before I knew of our responsibility of the Police Pension, which is a 2M deficit, I was told. And the other thing I don't understand is, that the board chose to get out of SWRPD, because we are paying the full ride and the bill for everybody else. And now you are going to do the same thing with Northern Regional. You are going to sign a contract so that it is better for Heidelberg, Spring Grove and Manheim, and that's the exact reason you were getting out of SWRPD".

Beverly Pitzer-White Dr., asked why this meeting had to be held at 8:00 a.m., rather than a regular Tuesday night. Mr. Shearer responded that the reason was because NYCRP Commission meets the same Tuesday night as our regular meeting, and we needed to adopt the ordinance so they could take action at their meeting. Also, to avoid having 2 different contracts going into the new year. We historically hold recessed meetings at 8:00 a.m.

Chairman Brenneman asked if there were any other comments, nothing said. **Motion** by Luckenbaugh, second by Shearer, to close the Public Hearing. All voted aye; motion carried.

**Motion** by Shearer, second by Luckenbaugh to approve Ordinance #281-12-2019. All members voted aye; motion carried.

## I. General Public Comments

Todd Zeigler- expressed his disappointment and concern about NCT taking all of the financial responsibility including the 6.2M Pension deficit. Solicitor stated that was incorrect information that the 6.9M was based on 2013-14 audit.

Deputy Chief of Police-Dave Lash, gave the correct information and explanation on how the members of the NYCRPD contributes to the Pension. Regardless if you are a contract member or a full member you have obligations towards the pension. NCT has been figured in the MMO for 2020, Why, because they are responsible for 4 officers. Each individual municipality is responsible for the number of officers they are assigned with. Also, it is true that NYCRP Commission would rather have all members as full voting participant members. That is the only way to be fair to the constituents to allow them to have a say in our department. It is imperative as we move forward as a police department, to have members, we will be encouraging Manheim and Heidelberg to join as well during this 5yr. period. We are committed to being in this area, we are committed to providing good Police service in this area. We are entering into negotiations with the SWRPD Board, to buy the SWRPD building. We will use that as a substation for Police operations. Why are we doing that? Because it is much cheaper than adding on to our current building. Construction costs for new municipal buildings are approximately \$200 per sq. yd. Based on the appraisal of the building we can have it at approximately \$50 per sq. yd. That is in the best interest of the people in this room, and the best interest for the citizens of our jurisdiction for us to be able to expand in a cost-effective manner. We have been in this business for 47 ½ years. There is a reason why we've been in business for 47 ½ years, we know how to do this, we are the most cost-effective Policing in York County, regardless of all of the fuzzy math that is out there. Dave Lash explained the reasons for the underfunded pension contribution, and that we are slowly but surely improving and as of 2019 we are funded at 74.5% of the required MMO. If anyone would like to ask any questions, he will be available after the meeting.

Todd Zeigler- wanted to clarify that the reason for the question of the board changing their agreement from contracted services to a full member of the NYCRPC, was because we heard frequently in the past that these supervisors were upset because we paid 48% of the budget but only got 25% of the vote. That is what we didn't understand with becoming a voting member. You still only get one vote, regardless of the size of your municipality. Mr. Zeigler also mentioned the Pension again and his interpretation of the charter.

Willa Lefever – noted that we still do not know what it will cost to get out of SWRPD. That alone is reason to not rush into this decision. It is not a good decision to make at this time, slow down.

Brad LeVault -Lehr Lane - When making a decision there are things you know, things you don't know and there are things that you don't know you don't know. You must figure out those first two, in order to be ready for the things you don't know you don't know, and they always happen.

### III. Administrative Reports

#### A. Supervisors' Report

1. Shearer – The SWRPD Board approved their proposed 2020 Budget in the amount of \$61,662.39, for the closure of the department expected by the end of May 2020. Also, 2019 year-end balance after expenses is projected to be in the amount of \$290,315.64. NCT share of 48.4326% is equivalent to the amount of \$228,653.25. What are the wishes of the board to do with this excess cash? Do we want the department to distribute the share or do we want to allow them to hang onto it until we know what the close out cost is for sure?

**Motion** by Luckenbaugh, second by Shearer to approve SWRPD 2020 proposed Budget. All members voted aye; motion carried. Mr. Luckenbaugh asked who will be using the building, etc.? Mr. Shearer replied that Velda Nickell will be using the building for approximately 100 hrs. the 1<sup>st</sup> 2 months, then it will drop down to 50 hrs. for administrative duties. Also, Velda will not be an employee of Southwestern but instead as a contractor with the monthly rate of \$7,000.

**Motion** by Brenneman, second by Luckenbaugh to request from SWRPD to receive the excess balance projected for the 2019 year-end, to be deposited into a North Codorus Township Escrow account. All members vote aye; motion carried.

#### B. Manager Report –

1. Approve to advertise the new 2020 BOS Meeting Schedule. Motion by Luckenbaugh, second by Shearer. All members voted aye; motion carried.

2. Ratify the re-advertisement of the Chemical and Sludge Hauling Bids. **Motion** by Brenneman, second by Shearer. All members voted aye; motion carried.

#### Public Comment –

Denny Ilyes- regarding the new 2020 BOS meeting schedule, he was told by Solicitor John Miller that the schedule for the BOS meeting dates can not be set until the re-organization meeting, is that true? Solicitor Kogut replied that is inaccurate. Mr. Ilyes approved the new schedule with the BOS during the November 7<sup>th</sup> meeting. But explains that he did not realize the day of the week had changed, just that it had changed from the 3<sup>rd</sup> week to the 1<sup>st</sup> week of the month. Discussion continued regarding scheduling conflict with Mr. Ilyes and his Business. Mr.

Brenneman commented how he had to make changes in his schedule when he came on board and that Wednesday works better for him. Mr. Luckenbaugh also commented that you have to expect to change your life when you're on board, he feels Wednesday is a better night.

Roy Shanks – I am a resident of this township for over 25 years. Mr. Shanks wanted to thank the Supervisors for their long-term commitment to the Township. I know there is some emotions on both sides of this Police, I believe there is no doubt the cost of the services has been escalating over time and all of the negotiations have proven that the Supervisors are right, that we are being overcharged and everyone has a better deal now. Mr. Shanks commented that the Township had a misinformation campaign by a very small minority of the township, claiming that it will cost a \$1M to get out of the SWRPD as well as all kind of different stories. Mr. Shanks thanked the Supervisors again for doing what they have been elected to do, by standing up for the taxpayers of this Township by being financially responsible and for putting many hours into making decisions. And it appears that there are some people here that will oppose to everything that goes on. We apparently have some small business owners with some motive that tend to attack everything that goes on here. Mr. Shanks has spoken with all of you individually over the past several years and feel you all have done a great deal for the Township. There are some plus's and minus's on both sides here but this has become like a personal attack here. Once again Mr. Shank has thanked the BOS for their service and that he felt they have done well for the Township.

C. Solicitor Report – request a brief executive session – Pending Litigation, no action.

At 9:14 a.m. the Board recessed to an executive session

At 9:40 a.m. the Board reconvened with no action taken.

Chairman Brenneman noted that we are looking at the 1<sup>st</sup> Tuesday of the month for the Township meeting in 2020, pending approval with our Solicitor. If that doesn't work, it will need to be the 2<sup>nd</sup> Tuesday. We will know at our next BOS meeting on Dec. 17<sup>th</sup>.

**Motion** by Luckenbaugh, second by Shearer to adjourn the meeting. All members voted aye; motion carried.

Meeting adjourned at 9:44 a.m.

Respectfully submitted

Sharon M. Kerchner  
Township Secretary