

Chairman Nelson Brenneman called the regularly scheduled meeting to order at 7:00 p.m. Supervisors present: Dennis Luckenbaugh and Dennis Ilyes. Present on behalf of the Township: Manager Sharon Kerchner, Solicitor Stephanie Kogut. Also present: Recording Secretary and 30 or so citizens.

I. **Minutes**

**Motion** by Ilyes, second by Luckenbaugh, to approve the minutes of the meeting of February 4, 2020. All members voted aye; motion carried.

II. **Treasurer's Report**

A. **Motion** by Luckenbaugh, second by Ilyes, to approve the Treasurer's Report for February 2020 as presented. All members voted aye; motion carried.

III. **General Public Comment**

Chris Bronder, PA Redistricting Reform Commission

Any questions about the information she delivered to the Board last month? Mr. Ilyes looked at the information, and said that it seems that every time an election doesn't go the way one party wants, it's suddenly time to change the rules. Isn't this the same as gerrymandering? He'd need more proof and better reasons before voting for what Ms. Bronder's proposing. Ms. Bronder remarked "gerrymandering" is exactly what this group is trying to correct. After discussion, Mr. Ilyes admitted that he misunderstood the proposal in the first place, so he will do some further research. Mr. Luckenbaugh noted that to change this procedure, the state's constitution would need to be changed. Ms. Bronder explained some further procedures, noting that the 2011 changes were "considered unconstitutional." She feels that a citizens' commission would be the better way to approach the redistricting with fairness and transparency. Her non-partisan group is proposing to redistrict *not* according to political affiliation. This group is trying to do away with how the redistricting is being done now, by politicians according to affiliation and assumption of votes to be received. She presented further information to help the Board members decide what to do. We will revisit at our next Supervisor's meeting.

Ben Wyrick requested permission for an Eagle Scout project. At the recommendation of the Recreation Board, he is proposing a fitness trail around the walking path in the park. He identified seven possible locations for fitness stations; for three stations the funds required would be between \$5-8K total, using metal and plastic, or lumber for less money (but not as safe). Mr. Wyrick is requesting funding from the Township. Mr. Brenneman noted that the liability insurance company would need to be contacted.

Willa Lefever continued to talk about communication – Develop a "good idea file." Mrs. Kerchner noted that there is a suggestion box in the office for "good ideas." What's the procedure for submitting public comment if a person cannot attend the Board meeting? Could the public comment period become a question and answer period? What would the procedure to get an answer to any question?

Rodney Shearer noted that he's attended three of the last SWRPD Board, and he urged the Board to stick to its guns, so to speak. The SWRPD Board's attitude is why the Township

got out of the regional police in the first place. Apparently, there's some inconsistency in the SWRPD Board's positions and information given.

Tom Waltersdorff noted that three times he's called for Northern Regional officers, and they've had very good response time and were very professional. He has been very satisfied with the service. Sees an officer in his area nearly every day. Mr. Brenneman agrees. Mr. Ilyes noted that many people tell him they're happy about traffic enforcement, but there are a few complaints about how it's being done. He relayed a story about an officer whose vehicle blocked gas pumps at Rutter's, and another officer blocked customers' vehicle at Twin Pines. Both these incidents happened as the officers were apprehending someone for a violation, which is great, but the blocking of the vehicles was seen as a problem. Sometimes it's more of a hazard. Mr. Luckenbaugh will report this observation to the NYCRP commission.

Scott Lackey relayed an incident wherein the police officer pulled someone over and blocked the roadway, forcing an oncoming vehicle to go around the traffic stop. Why isn't there a representative from the police force present at the Township Supervisors meeting to give a report? Mr. Luckenbaugh noted that this police department doesn't do that – their report is on their website. Mr. Luckenbaugh is the representative. Mr. Brenneman will follow up, too.

#### IV. **Fire Company Report**

Tim Carr gave the fire company report for February 2020. No questions for Mr. Carr. Keep up the good work.

#### V. **Permits, Plans, and Modules**

A. David Hoff and Kimberly Green, 2-lot Final Subdivision Plan, Stoverstown Road; Clark Craumer was present on behalf of Mr. Hoff. Monuments were not set yet; should be by the end of this week. No new homes proposed. Subdividing to sell the house to his daughter. Planning Commission members must sign. New deeds must be prepared.

**Motion** by Ilyes, second by Luckenbaugh, to approve the final subdivision plan for David Hoff and Kimberly Green. All members voted aye; motion carried.

**Motion** by Luckenbaugh, second by Ilyes, to approve the Planning Waiver and Non-Building Declaration for David Hoff and Kimberly Green AND to forward same to DEP. All members voted aye; motion carried.

B. Jackie and Debora Robertson; Subdivision Plan for 5471 Lake Road; combine three lots into one;

Mark Bard of All Lands LLC. was present on behalf of the applicants, who would like to combine three lots into one. This plan has been revised since the Planning Commission meeting. The Zoning Officer has okayed this plan. Legal description must be completed. The Planning Commission conditionally approved this plan, contingent on the revised items being completed, which has been done.

**Motion** by Ilyes, second by Luckenbaugh, to approve the subdivision plan for 5471 Lake Road, Jackie and Debora Robertson. All members voted aye; motion carried.

**Motion** by Luckenbaugh, second by Ilyes, to approve the Planning Waiver and Non-Building Declaration for Jackie and Debora Robertson AND to forward same to DEP. All members voted aye; motion carried.

## VI. Administrative Reports

### A. Supervisors' Reports

Mr. Brenneman reported that the new snowplow for the truck was received and the new mower will be delivered this Friday. The Public Works department have received their flagger recertification for a 3-yr term. WWTP-Sam Napier, was unable to complete the course due to receiving an alarm call that required his returning to the plant. He will complete the requirements at a later time.

### B. Police Report

Supervisor Luckenbaugh reported that the NYCRP Commission meeting was held on February 18<sup>th</sup>. Two new officers were sworn in. We adopted a mutual aid agreement with Penn Township Police Department. A drug take-back box has been installed at the substation located in Heidelberg Township. You can drop off over the counter and prescription drugs; please remove your personal information. They will not accept needles, syringes, liquid or aerosol cans. If there are any changes, it will be posted on their website. An executive session followed the meeting. Luckenbaugh also noted that the Department currently has 85,000 residents, consisting of approximately 214 square miles, patrolling almost a quarter of York County.

### C. Manager's Report

1. **Motion** by Luckenbaugh, second by Ilyes, to authorize the advertisement to accept mowing bids for May 1, 2020, through April 30, 2023. All members voted aye; motion carried.

2. **Motion** by Brenneman, second by Ilyes, to authorize the advertisement for material bids. All members voted aye; motion carried.

3. Small Games of Chance -- \$7,760.55 received.

4. **Motion** by Luckenbaugh, second by Ilyes, to authorize the Manager to sign the cell tower ground lease renewal for March 28, 2020, through September 27, 2020 (six months). All members voted aye; motion carried.

5. **Motion** by Brenneman, second by Ilyes, to authorize repairs to the sewer vac truck. All members voted aye; motion carried.

### D. Engineer's Report

No comments or questions on the submitted report.

### E. Solicitor's Report

1. Attorney Kogut attended the SWRPD Board meeting and filed the Township's position letter on the record. Received updated invoices from Stock and Leader for services rendered relating to the withdrawal by NCT. Northern Regional still negotiating on the sale of the building. No action taken yet. Attorney Kogut spoke to Attorney Joe Rudolf, regarding the negotiations, and was told that the Pension information is still being reviewed by the Auditor General.

2. Hickory Enterprises- the owner has filed a condominium declaration for the Townhouse complex. The Township would ordinarily review that declaration, to make sure it has a provision clearly identifying the Township's rights regarding the stormwater facilities in case the condominium or HOA does not maintain them. There's been situations in the past where

the condo or HOA “disbands” leaving the municipality no recourse against the unit owners themselves. The owner did not submit the original declaration or a separate stormwater agreement for review. The owner now wants to convert from a condominium to an HOA so we requested the HOA declaration to review before recording. We also gave them the language we normally require to make the review process easier for them. They refuse so far to share the declaration or add the proposed language. South Penn Codes is holding the first occupancy permit for this reason.

VII. **Old Business**

Mrs. Kerchner reported on the new meeting room HVAC circuit board from Williams Service (warranty policy covers installation services, one year, all parts replaced also warranted for one year); cost total \$1,785, \$475-labor, \$1,310-circuitry board & controller. All new equipment will carry manufacturer’s warranty.

VIII. **New Business**

A. Safety Committee met on February 4; current certification for Township employees’ first aid/CPR/AED expires April 24, 2020. Per the recommendation of the Safety Committee, **Motion** by Ilyes, second by Luckenbaugh, to approve the Township employees’ keeping current with their first aid/CPR/AED training and certification. All members voted aye; motion carried.

IX. **Announcements**

- A. The Northern York County Regional Police Commission will meet on March 17, 7 p.m., at headquarters.
- B. The Recreation Board will meet on March 23, 7 p.m.
- C. The Board of Supervisors will meet on April 7, 7 p.m.
- D. The SWRPD Board will meet on March 11, 7 p.m., at NYCRPD substation.

At 8:01 p.m., the Board *recessed* to an Executive Session to discuss police matters and personnel. No action will be taken.

**Motion** by Luckenbaugh, second by Ilyes, to adjourn. All members voted aye; motion carried. The meeting adjourned at 8:40 p.m.

Respectfully submitted,

Sharon Kerchner,  
Township Secretary/Manager

Julie B. Maher,  
Recording Secretary