

NORTH CODORUS TOWNSHIP
June 2, 2020

BOARD OF SUPERVISORS

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 Andrew Miller. Also present: Recording Secretary and ten citizens.

Chairman Brenneman reported that an Executive Session was held on Friday, May 22, 2020, and an Executive Session was held at 6 p.m. prior to tonight's meeting. Both sessions were to discuss litigation and personnel.

I. **Minutes**

Motion by Ilyes, second by Luckenbaugh, to approve the minutes of the meeting of May 5, 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 May 2020 as presented. All members voted aye; motion carried.

III. **General Public Comment**

Todd Zeigler asked if NCT has requested and/or received any information from SWRPD as to assets received/bought/sold. This will be discussed/answered later in this meeting.

IV. **Fire Company Report**

Tim Carr gave the fire company report for May 2020. Of particular note, barbecue for this weekend cancelled. August and October's barbecues should be back on as scheduled.

Mr. Carr also presented the Spring Grove and Tri-Community ambulance reports. It was noted that for each call, the police department is notified. Police response depends on the type of call, proximity to the call, etc.

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

A. Final Minor Subdivision Plan, #190418, Matthew and Tisha Spangler, 5073 Walters Hatchery Road. Patti Fisher was present on behalf of the applicants.

The applicants are subdividing a one-acre lot for a house to be built. Waiver for plan scale was previously approved. The rear concrete monuments still need to be set. Ms. Fisher will see that the work is completed. All other outstanding items have been addressed.

Motion by Ilyes, second by Luckenbaugh, to approve the Final Minor Subdivision Plan of Matthew and Tisha Spangler, #190418, Walters Hatchery Road. All members voted aye; motion carried.

VI. Administrative Reports

A. Supervisors' Reports

1. Rockville Road culvert replacement under way. A crane is needed to do some of the work; a quote has been requested through Digging & Rigging Crane Rentals.
2. A problem with the new tractor popping out of gear, needs to go for diagnostic testing by Finch's.
3. DEP permit for Junction Road is in the works. Cedar Drive is ready to review and submit.

B. Supervisor Luckenbaugh—Police report

Two major cases to note – reckless endangerment and drug use. Also, another officer was sworn into the department, bringing the total number of officers to 62.

C. Manager's Report

1. Brush Valley Road culvert replacement bids received as follows: H & H General Excavating Inc. - \$244,746, Clear View Excavation, Inc. - \$210,000 and JVI Group Inc. - \$265,000. Mrs. Kerchner recommended that the Township reject these bids, based on a lower quote previously received from Contech as contracted through Co-stars or table the decision until further information is obtained. Attorney Miller suggested that the Township put it out as one bid with two components, and any bidders can bid on one or both components. **Motion** by Ilyes, second by Luckenbaugh, to *table* to obtain more information. All members voted aye; motion carried.

2. **Motion** by Brenneman, second by Luckenbaugh, to accept, with regret, the resignation of Bob Nedzel from the Planning Commission, and to send Mr. Nedzel a letter of appreciation. All members voted aye; motion carried. It was noted that Mr. Nedzel is moving out of the Township, hence his resignation.

3. Discussion was held on when to open the Township Office to the public. When York County moves to the “green” phase, which is expected to be announced on June 5th, to take effect on June 12th. **Motion** by Brenneman, second by Ilyes, to open the Township Office to the public on June 12th, contingent upon the governor's decision. All members voted aye; motion carried.

4. The Rec Board is requesting to remove the regular porta-facility at the park altogether, then instead place a second handicap facility near the upper baseball/soccer field. There has also been on-going discussion to replace all porta-facilities with a waterless toilet. **Motion** by Ilyes, second by Luckenbaugh, to *defer action* on this request until the decision is made about the waterless toilet. All members voted aye; motion carried.

5. NCT received a subpoena for June 26, 10 a.m., Judge Reilly re: *Commonwealth of PA v. Keith Shearer*, trespass by motor vehicle (NCT-Fire Co-property)

6. Jeff Hall, Colonial Manor Estates, contacted the Township Office about a solicitation that he received regarding a night-vision address marker. This did not come from the Township or the fire company; it was reported to NYCRPD. Jackson Township had the same occurrence.

Mrs. Kerchner reported that the Township staff was provided a free lunch on May 15 from Ryan's Hope restaurant as a way of thanking the staff for their service. Very nice.

C. Engineer's Report

No comments or questions on the submitted report.

D. Solicitor's Report

1. Attorney Miller reported that the solicitors have been invited to an upcoming conference call on the police pension issue. Attorney Miller will participate in the call. Also, the SWRPD Board requested a meeting with two representatives from NCT. Attorney Miller suggested that the Township appoint two people to represent the Township on settlement negotiations with SWRPD. This would be to listen, not make any decisions, and not hamper the current position or situation. **Motion** by Brenneman, second by Luckenbaugh, to appoint Dennis Ilyes and Rodney Shearer as representatives of the Township in settlement negotiations with the SWRPD Board. All members voted aye; motion carried.

From the audience, Mr. Shearer asked what the Township's stance is, if he's going to be representing the Township. Participation in the discussion does not imply any admission back onto the SWRPD Board. It's been made very clear that if the Township isn't permitted to participate in the discussions, it's certainly not going to participate in making any payments for resolving any financial issues. To answer Mr. Zeigler's question in the beginning of the meeting, no accounting has been given to the Township as to the assets, since there's been no participation on the police board.

Tanya Crawford clarified that the solicitor from Northern Regional invited all solicitors to the conference call. Also, there will not be a solicitor present at the meeting at which Mr. Ilyes and Mr. Shearer will represent the Township.

Also, from Mr. Zeigler, thanks to NCT Board for taking the current position on the SWRPD Board issue on behalf of the residents. He agrees with the Township's position.

VII. Old Business

Chris Bronder previously inquired whether the Board of Supervisors will reconsider passing a Resolution on the redistricting issue. Perhaps the Board can have an answer for her in July.

VIII. New Business

Nothing at this time.

IX. Announcements

- A. NYCRP Commission meets June 16, 7 p.m., at police headquarters.
- B. The Board of Supervisors will meet on July 7, 7 p.m.
- C. The Planning Commission will not have a meeting in June, as no plans were submitted.
- D. The Rec Board will meet on June 22, 7 p.m.

From the audience Tanya Crawford, Sheridan Drive – large piles of grass or something on the highway right above the storm drain, which will clog that drain if we get heavy rain. There was a complaint today; Missy Altland is already addressing it with the right people.

Mr. Ilyes had a complaint of unlicensed vehicles on Tunnel Hill Road. Mrs. Kerchner will send Eric to investigate.

Motion by Brenneman, second by Luckenbaugh, to *recess* to Executive Session. All members voted aye; motion carried. At 7:52 p.m., the Board recessed to an Executive Session. Those present at that session will be Rodney Shearer, Dennis Ilyes, and Attorney Andrew Miller

to discuss personnel and litigation. Mr. Brenneman and Mr. Luckenbaugh will not be present at that session.

Motion by Luckenbaugh, second by Ilyes, to adjourn. All members voted aye; motion carried. The meeting adjourned at 7:58 p.m.

Respectfully submitted,

Sharon Kerchner,
Township Secretary/Manager

Julie B. Maher,
Recording Secretary