

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 18 citizens.

I. Minutes

Motion by Ilyes, second by Luckenbaugh, to approve the minutes of the meeting of August 4, 2020. Two members voted aye; Brenneman abstained; motion carried.

II. Treasurer's Report

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

III. General Public Comment

A. Willa Lefever requested that the township look into the challenges that might be presented by the concept of Tiny Homes. Last month, when she presented the idea, Mr. Ilyes "had a very strong reaction" as Ms. Lefever noted. Questions from Mr. Ilyes – are Tiny Homes on properly subdivided lots? On someone else's property? How about a 40' travel trailer parked on a lot, with a family living in it? Does that qualify? He doesn't feel that it's fair to have a "Tiny Home" owner get out of paying proper school taxes.

Per Attorney Miller, might this be a request to change the lot sizes? Would many Tiny Homes be permitted on a single lot? Are these homes permanent? If not attached to the lot, there's no tax assessment.

Discussion was held on the structure of these homes, if they are moveable or not. Supervisors have no interest to pursue at this time.

B. Rodney Shearer – Awareness of a 'Declaration of immediate suspension of Act 323 of 1978 – PA's EMS Code –'

Mr. Shearer discussed the "**Reopen York**" "**Free PA**" group to initiate and request all Township support in the way of letters or emails to the governor or other officials. **Motion** by Brenneman, second by Ilyes, to authorize letters/emails, etc., in support of totally reopening the state's businesses and economy. All members voted aye; motion carried.

C. Todd Zeigler asked about the progress on the paving on Cemetery Road. Chairman Brenneman explained the situation.

IV. Fire and Ambulance Company Reports

Tim Carr gave the fire company report for August 2020 and also gave the ambulance report for August 2020.

V. Permits, Plans, and Modules

A. Francesco and Vita Grippi – Final Subdivision Plan #90107-04, Stephen Avenue and Noss Road.

John Luciani was present on this request, which is a 16-acre parcel in RAC zone. The applicants are subdividing the 16-acre parcel into three lots – one with the large house on it and two building lots. The Grippi will use one lot and build a home.

Currently Grippi, Burger, and Young property owners use the access drive. There is a maintenance agreement in place for the private drive. This agreement will be amended to include the two new lots. Attorney Miller noted that the Township will require a sewer easement in order to maintain the sewer line. No problem.

Waivers: plan size and delay of stormwater process. The reason for the delay is that it's impossible to tell what type of house or location might be built. Stormwater will be addressed when a building permit is requested for each lot. All three parcels will be connected to the public sewer.

Waivers requested: Section 165-29B, plan scale, and Section 165-34 and 158, stormwater management for the lots. Will stormwater management provisions be made for the widening of the private driveway? Yes.

Dave Yingling, Stephen Avenue, asked if there will be any consideration to run public water for these properties? No. However it may be something to check with the neighboring properties to see if there is enough interest for consideration and then perhaps consult with the York Water Company. It was noted that YWC will not extend public water lines down a private road.

Motion by Luckenbaugh, second by Ilyes, to approve the waiver request for Section 165-29-B, plan scale. All members voted aye; motion carried.

Motion by Ilyes, second by Luckenbaugh, to approve the waiver request for Section 165-34 and 158, stormwater management. All members voted aye; motion carried.

Motion by Ilyes, second by Luckenbaugh, to approve the Final Subdivision Plan #90107-04, Grippi, Stephen Avenue and Noss Road, subject to the satisfactory resolution of the open items from the Buchart Horn letter dated August 31, 2020, as well as payment of the sewer connection fees for the 3 units and a sewer easement agreement for the Township. Two members voted aye; *Brenneman opposed*. Motion carried. Chairman Brenneman is opposed to approving this plan prior to the payment of the appropriate fees. Other applicants have been required to have check in hand prior to approval. Attorney Miller will prepare the conditional approval letter.

VI. Administrative Reports

A. Supervisors' Reports

1. Public works – Meetinghouse Road – pipe project nearly finished – weather permitting, it will be finished this week. Mr. Brenneman talked to Kenny Brenneman with regards to stormwater and he suggested we grade along the road, removing the sod, Mike will take care of. Also, Mr. Calderone-3480 Salem Springs Rd – low spot between the inlet and his house, Mike wants to build a ground berm to see if that will take care of it before placing another catch basin.

2. Yohe's Paving has us on the schedule for the week of 8th, starting on Cemetery, Waltersdorff, Plainview, Rockville, Bahn Avenue and Cedar Hill, cul-de-sacs and around salt shed. Also, on Junction Road, fast truck traffic on this road also trucks and trailers going back and forth to the job site, are dragging and tearing up our new road. Need "local traffic only" signs perhaps.

3. Brush Valley Rd Culvert – amended grant funds were approved, for total of \$207,900.

B. Supervisor Luckenbaugh gave the police report.

There were three incidents of small note. Police budget increased by nearly \$4K. The Board will vote on this budget in October. Mr. Luckenbaugh will vote in favor of the police budget at the police board meeting. Pension is in the process of being transferred. The old headquarters is being transferred. NYCRPD currently have 52 officers, and plan to hire an additional 4.

C. Manager's Report

1. The following bids were received for Excavating and installation of the Joseph Road culvert:

- a. Clear View Excavation, Inc. -- \$109,740
- b. CriLon Corporation -- \$107,421.39

Motion by Brenneman, second by Ilyes, to award the contract to the lowest bidder, CriLon, in the amount of \$107,421.39. All members voted aye; motion carried.

2. Bids received for Joseph Road, precast culvert and wingwalls:
- a. Terre Hill - \$97,560
 - b. Monarch - \$64,695

Motion by Ilyes, second by Luckenbaugh, to award the precast culvert and wing walls for Joseph Road to the lowest bidder, Monarch, in the amount of \$64,695. All members voted aye; motion carried.

3. MMO – 2021 -- \$96,800 – **Motion** by Brenneman, second by Ilyes, to accept the MMO. All members voted aye; motion carried.

4. **Motion** by Brenneman, second by Ilyes, to ratify the renewal of the Winter Municipal Services contract for 2020-2021 for \$36,023.99. Two members voted aye; *Luckenbaugh opposed*. motion carried. Brenneman noted that we have 2yrs remaining in the contract and that we have to travel through these roads anyway. However, if they want us to continue with the program, they need to improve these roads.

5. **Motion** by Brenneman, second by Ilyes, to authorize the reimbursement to Sevan Valleys (Tri-Community) Ambulance worker's compensation in the amount of \$268.80. Two members voted aye; *Luckenbaugh opposed*. Motion carried.

6. FYI -- traffic signal at Lehman Road and Route 116 was malfunctioning – PERCS replaced a bad flash transfer relay.

7. Leaf collection sign-up deadline is PRIOR to November 9; \$65 for two 20-minute collections.

8. Budget work session was set for October 16, 8 a.m.

9. Would the fire company be permitted to hold a food truck sale? A peddler's or solicitation permit would likely be needed; that's a one-year license. The Township might waive the requirement for the fire department's use. Of concern is the food truck parking on a public street in, say, a subdivision. Basically, a non-profit organization or charity group(s) should be

considered an exception to the rule, but would require a change in the definition for peddling/solicitation ordinance definition.

Todd Zeigler asked how a fire company event/sale differs from another situation that likely doesn't require a permit (such as a snowball truck parked in a neighborhood or concessions at a baseball game), a valid question. Mr. Ilyes commented that he certainly doesn't want to deter food truck vendors from participating, by requiring permits, etc. Don't want to interfere with the fund-raising efforts of the fire company, etc. It might make a difference, also, depending on how often that happens. It was noted that the Township declined to approve a request from another applicant to set up a food truck operation.

D. Engineer's Report - No report at this time.

E. Solicitor's Report

Nothing to add to the report. Brief Executive Session requested for personnel discussion.

VII. **Old Business**

Nothing at this time.

VIII. **New Business**

A. Notice of estimated allocation for liquid fuels and turnback program: \$331,878.17 (budget amount is \$360,937; down \$29,060).

B. Received both Highmark Vision and United Concordia Dental Insurance renewals, effective October 1, 2020. No premium increases.

C. The U-Pull-It junkyard license renewal was issued for January 2020 to December 2020. Attorney Miller gave a further update. Mr. Miller has made contact with them asking if the final inspection was completed for the office. They have indicated it has. We can wait until October's meeting for confirmation

D. The Pickleball Fun Day fundraiser was approved by the Recreation Board for September 12, 8 a.m. to 4 p.m. There's a \$10 registration fee, which, after minor expenses are deducted, will be donated to the Township. The event participants will adhere to social distancing protocols.

IX. **Announcements**

A. Northern York County Regional Police Commission will meet on September 15, 7 p.m. at headquarters.

B. The Board of Supervisors will meet on October 6, 7 p.m.

C. The Planning Commission will not meet in September.

D. The Recreation Board will meet on September 28, 7 p.m.

E. 2020 census completion deadline September 30.

Jim Smith, Martin Road/Sunnyside Road, presented photos to back up his complaint about a water problem after a Township road repair. He gets a fair amount of debris washing down into his property from uphill properties, including the junkyard. The road is deteriorating at the sides of the pipe. He feels that the pipe is too small to handle all the water that it's

intended to handle. He consulted C. S. Davidson about the problem; they proposed a solution. The Township personnel will take a field trip to the property to assess the situation. Attorney Miller requested photographs of the junkyard's debris, especially, so that he can follow up. Could Mr. Smith approach the junkyard owner to let him know what's going on?

Also, he would like to have a guard rail installed at his corner for safety reasons.

Kim Altland spoke, detailing his physical limitations (congenital birth defects). He's lost his job and filed for disability. He has volunteered in several capacities in the Township, including serving on the Planning Commission. He requested the Township send something to the effect that his service to the Township is valuable and permit him to qualify for disability.

Rodney Shearer reminded the Board that there are pipes failing on Rockery Road.

At 8:49 p.m., the Board recessed to an Executive Session.

At 9:00 p.m., the Board reconvened, with no action taken.

Motion by Luckenbaugh, second by Ilyes, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:01 p.m.

Respectfully submitted,

Sharon Kerchner,
Township Secretary/Manager

Julie B. Maher,
Recording Secretary