

Chairman Dennis Ilyes called the regularly scheduled meeting to order at 7:00 p.m. Supervisors present: Dennis Luckenbaugh and Jackson LeVault. Present on behalf of the Township: Manager Sharon Kerchner, Solicitor Andrew Miller, and Zoning Officer Jeffrey Martz. Also present: Recording Secretary and 17 citizens.

I. Announcements

Public hearing: Ordinance #285-04-2022, amending certain sections of the Zoning Ordinance to provide regulations for Accessory Solar Energy Systems and Principal Solar Energy Systems.

Attorney Miller gave the history of this ordinance and its reviews and revisions. There was a suggestion from YCPC that this ordinance should be a stand-alone ordinance. YCPC also recommended that the Township permit this use in the Agricultural Conservation district. Add “wall-mounted.” Also, definition of “applicant” is already present. Also, provisions/criteria for solar installers. With PSES, have “more robust” language for road restoration.

Chairman Ilyes reported that he spoke with several farmers who are opposed to solar farms, stating that the land should be used to grow food.

Motion by Luckenbaugh, second by LeVault, to open the public hearing. All members voted aye; motion carried. At 7:08 p.m., the public hearing was opened.

From the audience, Larry Ferree; commented in favor of how the ordinance is written; that this use is intended to be permitted in the Industrial Zone only. Attorney Miller noted that the Township is under an obligation under the Law of Pa., to provide a fair share of the use somewhere; the Solar ordinance would provide and satisfy this obligation.

Motion by Ilyes, second by Luckenbaugh, to close the hearing. At 7:13 p.m., the public hearing was closed. All members voted aye; motion carried.

Attorney Miller outlined the minor changes that were made to the ordinance draft. The Board members agreed with the revisions, which were not considered substantial enough to warrant re-advertising.

Motion by Luckenbaugh, second by LeVault, to adopt Ordinance #285-04-2022, as presented/slightly amended above by Attorney Miller.

[Kim Altland asked if he would be permitted to install a solar panel himself or does he have to have a certified installer do the work? The ordinance language requires a professional installer to do the work.]

Public hearing: Ordinance #286-04-2022, Act 97 to incorporate the MPC amendments for financial surety provisions are consistent with to match with the SALDO by limiting the amount of bond to be retained upon completion of improvements.

There were no recommendations from YCPC. **Motion** by LeVault, second by Luckenbaugh, to open the public hearing. All members voted aye; motion carried.

Motion by LeVault, second by Luckenbaugh, to close the public hearing. All members voted aye; motion carried.

Motion by LeVault, second by Luckenbaugh, to approve Ordinance No. 286-04-2022 as presented. All members voted aye; motion carried.

II. Agenda

There were no changes to the published Agenda.

III. Minutes

Motion by LeVault, second by Luckenbaugh, to approve the minutes of the meeting of March 1, 2022. All members voted aye; motion carried.

IV. Treasurer's Report

A. **Motion** by Luckenbaugh, second by LeVault, to approve the Treasurer's Report for March 2022 as presented. All members voted aye; motion carried.

V. General Public Comment

None at this time.

VI. Fire Company Report

Tim Carr gave the fire company report for March 2022. It was noted that Tri-Community had 17 total responses in NCT for March. There were far more calls for service.

VII. Permits, Plans, and Modules

A. Strawberry Fields, Phase 1, Final Subdivision Plan; discuss "No Parking" on streets
Bob Sharrah was present on behalf of the applicant. All comments have been addressed. Discussion was held on the "no parking" issue on the development's streets. The developer is in favor of permitting parking on the street. Chairman Ilyes is concerned with cars being parked on the streets during a snow emergency. Mr. Sharrah feels that parking on both sides tends to be traffic calming. How about campers, boats, small trailers? How is that regulated? Jon Beck was also present on this application. He said that the applicants can address that via the homeowner's association documents, and the same goes for snow emergency policies.

Attorney Miller reported that he's faced these same issues in other municipalities, and he would be willing to check those regulations.

There are a few housekeeping items and one permit (YCCD) to address on the list of items. Also, there's an offsite improvement to an intersection that the applicant has offered to help with. This offer and all the details should be incorporated into the developer's agreement. Discussion was held on this issue. The Township doesn't want to slow the project down, but it needs to be specified who will do what and when. Could there be a separate agreement for this offsite project? Attorney Miller isn't quite comfortable with removing this issue from the original developer's agreement.

Motion by Luckenbaugh, second by LeVault, to approve the Strawberry Fields Final Subdivision Plan, Phase 1, subject to the satisfactory resolution of any outstanding items on the engineer's comment letter dated March 21, 2022, and the YCPC comments, including the issuance of the NPDES permit by YCCD; AND that the "No Parking" stipulation will be included in the HOA documents, with satisfactory review of those HOA documents by the Township Solicitor; and that the applicant is not required to install "No parking" signs but must require removal of vehicles during snow emergencies; AND that the issue of the offsite improvement be resolved before the plan is recorded and that those improvements to the

intersection of Joseph and Salem Roads be included and addressed in a separate developer's agreement. All members voted aye; motion carried.

B. Grace Fellowship/dba Genesis Church, Subdivision Plan

Lee Faircloth and Tim Ference were present on behalf of the applicant. The church owns two contiguous properties. The proposal is to subdivide the smaller parcel into two lots; one resulting lot will be added to the main church lot, providing an access point onto Tunnel Hill Road. The other lot will have its own access onto Tunnel Hill Road. The applicant was granted a Special Exception by the Zoning Hearing Board to permit this use. The applicant agreed that the gate will be locked, used for emergency purposes only, and that the fire department will have a key to the gate.

Waivers requested: Section 165-29.D.4, location of wetlands; Section 165-38.4, cartway width; and Section 165-40.C, permanent concrete monuments. It was noted that the applicant will provide two concrete monuments on the property.

Motion by Luckenbaugh, second by LeVault, to approve the request for the above waivers as presented. All members voted aye; motion carried.

Motion by LeVault, second by Luckenbaugh, to approve the Subdivision Plan for Grace Fellowship/Genesis Church. All members voted aye; motion carried.

VIII. Administrative Reports

A. Supervisors' Reports

1. Mr. Luckenbaugh gave the police report for March 2022. NYCRP Chief Lash gave an update on the trial for Meredith Keltner, Smyser Rd-2020 shooting case.

B. Manager's Report

1. **Motion** by LeVault, second by Luckenbaugh, to adopt Resolution #06-04-2022, ARP appropriation payable to All-In Highway Services, LLC, in the amount of \$8,812, for Twin Arch Road guide rails. All members voted aye; motion carried.

2. **Motion** by Luckenbaugh, second by LeVault, to ratify the purchase of a new paper shredder for the office in the amount of \$895. All members voted aye; motion carried.

3. **Motion** by LeVault, second by Luckenbaugh, to authorize the purchase of a refurbished bucket truck, NTE the budgeted amount of \$30,000. All members voted aye; motion carried.

4. **Motion** by Luckenbaugh, second by LeVault, to award the materials bids for 2022 to the lowest bidders, as follows:

Placement of Superpave to Yohe Paving, Inc., for a total of \$189,000.

Furnish and placement of Double Seal Oil and Chip to Russell Standard for a total of \$129,600.

Superpave material contracted through Co-Stars to York Building Products – Stone and Materials Group; approve as presented. All members voted aye; motion carried.

5. **Motion** by LeVault, second by Luckenbaugh, to authorize the payment of \$3,624.80 to Resuwrecktion Auto Body to diagnose the location of entry point and repair large crack on center section of upper roof panel of 1998 KME Engine 12. All members voted aye; motion carried.

C. Engineer's Report
Nothing at this time.

D. Solicitor's Report

1. Ordinance #285-04-2022 – action previously taken
2. Ordinance #286-04-2022 -- action previously taken.
3. Comcast cable franchise agreement – update – more municipalities = lower cost per municipality.
4. Wireless broadband -- Attorney Miller provided sample ordinances from other municipalities for the Board members to review and compare. Next step: decide to act or not. Same firm that is doing the Comcast cable agreement will give a flat fee proposal. Mr. Luckenbaugh isn't interested in this proposal, as he feels that it will be obsolete soon. Mr. LeVault would like to review the information.
5. Proposed rezoning of the Hinson property -- no one was present on this proposal. Attorney Miller outlined the next steps that the Township will need to take. Mr. Martz reported that the Township fee schedule doesn't include a rezoning fee. He recommends that the fee be the same as the fee for the Zoning Hearing Board application. **Motion** by Luckenbaugh, second by LeVault, to *not* charge for a rezoning application. All members voted aye; motion carried.

IX. Old Business

Twin Arch Road traffic count was performed from March 21 through 25. Results as presented – total for the week 430 for four 24-hour periods. No interested from the Board in vacating this road, at this time.

XI. New Business

A. The National League of Cities and Pa Municipal League is endorsing a Utility Service Line Insurance Program for residents; only available through a municipal and utility partnership; they acquire the Township to endorse the program then send solicitations to the residents to subscribe for the service; the Township receives a fee for each account; Attorney Miller explained the program is no cost to the Township; however, the Township will be endorsing a third party product; hence how they perform may reflect back to the Township. It is a voluntary program; the residents may choose to sign up or not; paying a subscription fee for the program. This is basically an insurance program for sewer laterals & other utility service lines that are ultimately the responsibility of property owners. No action taken to move forward.

B. **Motion** by LeVault, second by Luckenbaugh, to appoint the new stenographer Karen Brown at \$105/hour for the first hour; \$65/hour for each additional hour. All members voted aye; motion carried.

C. FYI: received liquid fuels 2022 allocation in the amount of \$344,777.71 and the turnback maintenance allocation in the amount of \$16,160.

D. **Motion** by LeVault, second by Luckenbaugh, to authorize the training for first aid, CPR, and AED training/certification for all employees to be held on May 18, (3-4 hours of training). All members voted aye; motion carried.

E. Should the Township purchase 2 AED units for the office and shop areas? Think about this. Cost each: \$1,400-\$3,000; Mrs. Kerchner will seek opinions and input from the emergency personnel and will report back.

F. Mr. Martz reported that there's a Zoning Hearing Board meeting scheduled for April 21. The hearing was advertised, and letters were sent to neighboring residents as required. A resident who is opposed to the proposal adjusted the letter that Mr. Martz sent by adding his/her own paragraph in opposition at the bottom of the Township letter. This person then put copies in the neighbors' mailboxes. FYI and to be very clear, that letter/paragraph did not come from the Township.

XII. **Announcements**

- A. The Board of Supervisors will meet on May 3, 7 p.m.
- B. The Northern York County Regional Police Commission will meet on April 19, 7 p.m., at the substation of Officer Dave Tome.
- C. The Planning Commission will meet on April 26, 7 p.m.
- D. The Zoning Hearing Board will meet on April 21, 7 p.m.

Motion by LeVault, second by Luckenbaugh, to adjourn. All members voted aye; motion carried. The meeting adjourned at 8:55 p.m.

Respectfully submitted,

Sharon Kerchner,
Township Secretary/Manager

Julie B. Maher,
Recording Secretary