

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. Also present: Recording Secretary and 15 citizens.

I. Announcements

Executive Session was held on June 28, 2022, to discuss personnel matters. No action was taken.

Motion by Luckenbaugh, second by LeVault, to open a Public Hearing at 7:01 p.m., for purposes of hearing comments/discussion on proposed Ordinance #287-07-2022, rezoning certain parcels of land and amending the zoning map of NCT for Anthony and Lois Hinson, two parcels in the R1 zone, requesting to rezone to HC. All members voted aye; motion carried.

Attorney Miller reported that this ordinance was advertised as required, and the property was posted. The owner is aware of the rezoning proposal. The proposal was submitted to YCPC at least 30 days ago as required (no recommendation received to date), and the NCTPC recommended approval. A copy has been sent to the law library as required. It was noted that two parcels on the Hinson side of the road were still zoned R-1.

There were no questions or discussion from the audience. **Motion** by LeVault, second by Luckenbaugh, to **close** the hearing. All members voted aye; motion carried. Hearing closed at 7:04 p.m.

Motion by Luckenbaugh, second by LeVault, to adopt Ordinance #287-07-2022 as presented. All members voted aye; motion carried.

II. Agenda

No changes to the posted/advertised agenda.

III. Minutes

Motion by LeVault, second by Luckenbaugh, to approve the minutes of the meeting of June 7, 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 June 2022 as presented. All members voted aye; motion carried.

V. General Public Comment

Nothing at this time.

VI. Fire Company Report

Tim Carr gave the fire company report for June 2022. Of note, the exhaust system update was completed (paid for by grant funding). The View at Mackenzi and NSB elementary school will complete the Knox Box installations. The fire company did very well at the last chicken barbecue, so they'll hold a second one on August 6th. Preliminary review of the Relief Audit was complete; no issues. Great job! Question from Mr. Ilyes, is an average of six people

at a fire event a low number? Somewhat, but it depends on the time of day of the call and whether people are on vacation, etc. Frankly, Mr. Carr is happy to have an average of six people respond!

Mr. Carr reported that the night before the chicken barbecue involves a lot of prep work for the next day's event. Some active members have asked if they can set up their campers and stay overnight after the prep work to be onsite early the next day for the actual event. Any liability? Per Attorney Miller, likely not any more than any other time/use of the area by volunteers. Mrs. Kerchner did email the insurance company asking if there's a liability issue. No answer yet. Mr. Carr noted that their insurance does cover anything that might happen during the prep time, but likely not overnight. He'd be willing to write some sort of letter stating that these volunteers do this at their own risk. No alcohol is permitted on the premises.

Motion by LeVault, second by Luckenbaugh, to approve the request for campers to set up out in the field beyond the barbecue pit, for those helpers who wish to sleep over; personal generators will be used for electricity, PENDING the response from the insurance company. All members voted aye; motion carried.

VII. Permits, Plans, and Modules

A. Joy Laughman, Wayne and Joy Laughman, final subdivision plan #03-31-2022, Laughman Lane.

Waiver requests:

§165-38(4), minimum cartway width (Noss Road)

§165-44, sidewalks

§165-45, curbing

Lee Faircloth, Gordon L. Brown Associates, was present on this plan that involves contiguous properties. There are two properties, one owned by Wayne and Joy Laughman, and the adjoining lot owned solely by Joy Laughman. This plan involves re-subdividing the properties to create a building lot, (Lot 1A), of three acres. The remaining land belonging to Joy Laughman, (2.88 acres), will be conveyed to parcel 1G, owned by Wayne and Joy Laughman. Public water and public sewer will be provided to Lot 1A. No buildings on Lot 1A. Current cartway is 22'; they are requesting a waiver to *not* pave it to 28'.

Motion by Luckenbaugh, second by LeVault, to approve the waiver requests as follows for Joy Laughman and Wayne and Joy Laughman: §165-38(4), cartway width; §165-44, sidewalks; and §165-45, curbing. All members voted aye; motion carried.

Motion by LeVault, second by Luckenbaugh, to approve the Final Subdivision Plan of Joy R. Laughman, and Wayne D. and Joy R. Laughman, Plan #03-31-2022 as presented. All members voted aye; motion carried.

B. South Branch Limited Partnership and Brian and Marcy Reigart; final subdivision plan #05-02-2022.

Waiver requests:

§165-29C(8), description of monuments for Lot 1 and Parcel 98A;

§165-38(4), minimum cartway width, minor collector street, 28'; and

§165-40C, concrete monument except as shown on Sheet 3 of 3

Lee Faircloth, Gordon L. Brown Associates, was present on this proposal. There are two farms, South Branch owns 56 acres; 67 acres owned by Reigarts. The proposal is to subdivide 6

acres and convey it from South Branch to Reigart. The existing buildings on the 6 acres will travel with the subdivided lot and be owned by the Reigart family. The waiver request for the monument was discussed to everyone's satisfaction.

Motion by LeVault, second by Luckenbaugh, to approve the waiver requests as presented: §165-29C description of monuments for Lot 1 and Parcel 98A; §165-38(4), minimum cartway width, minor collector street, 28'; and §165-40C, concrete monument except as shown on Sheet 3 of 3. All members voted aye; motion carried.

Motion by Luckenbaugh, second by LeVault, to approve the Final Subdivision Plan #05-02-2022 of South Branch Limited Partnership and Brian L. and Marcy C. Reigart, as presented. All members voted aye; motion carried.

VIII. Administrative Reports

A. Supervisors' Reports

1. Mr. Luckenbaugh gave the NYCPRD police report for June 2022. In May we had 212 open cases, 195 are closed. The process to update the charter (agreement) are underway. Portable radios used by Police, Fire & Ems, will become obsolete in November 2022 and will need to be replaced.

2. Public Works:

Paving project tentatively to begin July 11, starting at Rockery Road

Piping was replaced on Messersmith, Rockery, Strickhouser, and Brush Valley Roads.

Pipe and catch basin on Cedar Drive

Mowing has been completed once; second mowing has started

B. Manager's Report

1. **Motion** by LeVault, second by Luckenbaugh, to waive the isolation distance regulation for 3393 Days Mill Road, Heiser property. [The applicants can only provide 75' instead of 100' isolation distance.] All members voted aye; motion carried.

2. **Motion** by LeVault, second by Luckenbaugh, to authorize the advertisement of a public works position. All members voted aye; motion carried.

3. **Motion** by Luckenbaugh, second by LeVault, to adopt Resolution #10-07-2022, appointing Sharon M. Kerchner as the Chief Administrative Officer for the Non-Uniform Pension Plan. All members voted aye; motion carried.

4. **Motion** by LeVault, second by Luckenbaugh, to accept the quote from Yohe Paving in the amount of \$8,000 to fix/repave the fire damaged portion of Bentz Road AND to follow up with the claim filed through Keith Shearer's insurance company for payment. All members voted aye; motion carried.

C. Engineer's Report

No comments or questions on the submitted report. DEP general permit for Bentz Road was approved to be submitted. FYI.

D. Solicitor's Report

1. The Hinson proposal was addressed earlier in the meeting.

2. Borrega Solar Project – Attorney Miller received a call from Attorney Jeff Malak inquiring about the prospects of a compromise with the Township under the current

Zoning Ordinance. Attorney Miller responded that the Township is not interested in making any changes.

3. The temporary construction easement for the Larry Redding property is no longer needed because the DEP general permit for Bentz Road has been changed. It was noted that the temporary construction easement was never actually obtained. It was also noted that if the Township removes a tree in the ROW, the property owner; Mr. Redding will have 1st access to the wood.

IX. **Old Business**

A. Bonding – Mrs. Kerchner reported on the progress for the bonds for the Treasurer and Assistant Treasurer, and for the Zoning Officer. Attorney Miller stated that the bonding for the Treasurer is set in the 2nd class township code, in that it should be set to the amount of money the Treasurer would have access to at any time. However, “access” is not defined in the 2nd class township code. Typically, bonding is set between \$1,000,000 - \$2,000,000. The insurance representative will get back to Mrs. Kerchner after discussing with the underwriter. Since we’re already in July, this can wait to set at the Reorganization meeting in January 2023. As for bonding on the Zoning Officer, the insurance representative feels it would be overabundant, in that the township already has a risk management policy, up to \$10,000 for employees. Attorney Miller stated that the Zoning Officer position is not typically bonded.

XI. **New Business**

Chairman Ilyes just wanted to comment that it is good to have Sharon Kerchner back, after having an unexpected medical issue.

XII. **Announcements**

- A. The Board of Supervisors will meet on August 2, 7 p.m.
- B. The Northern York County Regional Police Commission will meet on July 19, 6 p.m.
- C. The Planning Commission will meet on July 26, 7 p.m.

At 8:01 p.m., the Board *recessed* to Executive Session to discuss legal advice on a property maintenance issue.

At 8:30 p.m., the Board *returned*, no action taken.

Motion by Luckenbaugh, second by LeVault, to adjourn. All members voted aye; motion carried. The meeting adjourned at 8:32 p.m.

Respectfully submitted,

Sharon Kerchner,
Township Secretary/Manager