

NORTH CODORUS TOWNSHIP
October 4, 2022

BOARD OF SUPERVISORS

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, Zoning Officer Jeffrey Martz, and Solicitor Andrew Miller. Also present: Recording Secretary and 14 citizens.

I. Announcements

Executive Session was held on September 14 at 3 p.m. for a Public Works interview. **Motion** by LeVault, second by Luckenbaugh, to ratify the hiring of Travis Shearer as a full-time Road Master for the Public Works Department; hourly rate of \$27.50, effective October 3, 2022. All members voted aye; motion carried.

II. Agenda

No changes to the posted agenda.

III. Minutes

Motion by LeVault, second by Luckenbaugh, to approve the minutes of the meeting of September 6, 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 September 2022 as presented. All members voted aye; motion carried.

V. General Public Comment

Glatfelter Library -- Jean Weidler was present to request funding to support the library. The library recently received Keystone Grant funds which will help with some needed repairs and upgrades to the 30-year-old building.

Daniel Enoff, 5386 Stambaugh Road, was present. He gave the history of the trouble with his driveway/barn flooding at the road since the road was paved. After a year of inquiring and the project being delayed by one circumstance or another, the issue is still a problem. Any way this can be addressed? If the situation was created by the Township increasing the height of the roadway, the Township should fix it. Mr. Ilyes said that someone from the road crew will investigate it.

Philip Stough said that last month he requested that the Township fix his driveway at the road in his area and the Township refused because it would set a dangerous precedent to go that far off the Township ROW onto private property. Well, now, Mr. Stough isn't requesting this particular repair anymore. He said that the Township fixed the same situation as two or three houses up from him. How about fixing the situation with water running down the road in front of his property? Discussion was held on how the Township fixed the situation farther up the road. The Township's position is that nothing on that road has changed to cause this problem. Mr. Stough said that the problem started when the Lynwood Estates development was installed. It was a bit unclear as to when the work was done two houses up from Mr. Stough and who did the work. Just because it's a Township road doesn't necessarily follow that the Township did that work. The Board members or Township staff will find out what was done and make a

recommendation for action. Mr. Stough referred to an Act by the state and asked if this applies in this situation. Attorney Miller noted that this Act has largely been superseded by more recent legislation. Mr. Stough suggested that if the Township fixes the road at his place, they should fix it in front of the neighbor's property plus the properties 'downstream' of his property.

Larry Lehman asked if there's been any discussion about the safety of the Amish on the roadways? No, the Township hasn't taken any action. Something to keep on the radar.

Mr. Ilyes noted that the Township is in dire need of people to serve on the Planning Commission.

VI. **Fire Company Report**

Tim Carr gave the fire company report for September 2022. Of note, this Saturday from 10 a.m. to 2 p.m. is Open House for Fire Prevention Week!

Scott Zeigler, on behalf of Tri-Community Ambulance, thanked the Township for its support and noted that the Club is looking at several avenues for combining forces, etc., to reduce costs. The Club certainly appreciates any financial support that the Township can give.

VII. **Permits, Plans, and Modules**

A. Final Subdivision Plan #1360.1-FSD-1, Twin Pines Farm

Chairman Ilyes stepped down from the Board for this plan, as it involves his property.

Dennis Luckenbaugh assumed the role of Chairman for this discussion/vote. Grant Anderson from Site Design Concepts was present on behalf of the applicant.

Waivers requested for Sections 165-29.B1; 165-29.C.8; and 165-29.D.6

Motion by LeVault, second by Luckenbaugh, to approve the waivers as requested above. Two members voted aye; *Ilyes abstained*. Motion carried.

Motion by LeVault, second by Luckenbaugh, to adopt Resolution 13-10-2022, Sewage Facilities Planning Module. Two members voted aye; *Ilyes abstained*. Motion carried.

Motion by LeVault, second by Luckenbaugh, to approve the Final Subdivision Plan for Twin Pines Farm. Two members voted aye; *Ilyes abstained*. Motion carried.

Chairman Ilyes resumed chairing the meeting.

VIII. **Administrative Reports**

A. Supervisors' Reports

1. Mr. Luckenbaugh gave the police report for September 2022.

2. NYCRPD 2023 Budget – NCT's portion is \$791,627.52, an overall increase of 4.9%. Does the Board give permission for Mr. Luckenbaugh to vote in favor of this budget? Yes. Kudos to the Police Department for doing a fine job after assuming the job of police protection in the Township.

3. Public Works: DEP general permit received for Bentz Road.

Motion by LeVault, second by Luckenbaugh, to ratify approval for James Family Tree Service to remove two (2) trees on Twin Arch Road in the Township ROW (\$950) and one (1) tree on Aldinger Road (\$550). All members voted aye; motion carried.

Dead tree on Ambau Road—the Township crew removed the wood after the tree fell down. Met Ed handled the wires that were affected.

Discussion was held on the removal of 3 to 4 trees on Bentz Road (Larry Redding's property) in order to widen the road, per the request by Public Works Foreman Mike

Krebs. It was noted that Mr. Redding would like to keep the wood from the trees. He should be given notice of the removal.

Pipes on Grothey Road are done. Trees have been trimmed. Bentz Road project to begin. Line painting to start, too. Roadsides have been mowed.

B. Manager's Report

1. **Motion** by LeVault, second by Luckenbaugh, to approve the 2022 MMO in the amount of \$48,300. All members voted aye; motion carried.

2. **Motion** by Luckenbaugh, second by LeVault, to approve the leaf collection rate at \$75 for two 20-minute pickups. All members voted aye; motion carried.

3. **Motion** by LeVault, second by Luckenbaugh, to approve the 2023 renewal of Capital Blue Cross health insurance policy with an increase of 4% (age driven), an additional \$267.18 per month. All members voted aye; motion carried.

4. **Motion** by Luckenbaugh, second by LeVault, to approve the contract with the SPCA for 2023 for the amount of \$4,586.59. All members voted aye; motion carried. [It was noted that 2024's rate will be \$6,517.]

5. **Motion** by LeVault, second by Luckenbaugh, to ratify the reimbursement to the Commonwealth of Pennsylvania in the total amount of \$5,117.80, finding. All members voted aye; motion carried.

6. Township Treasurer Melissa Altland passed her notary test – well done! **Motion** by LeVault, second by Luckenbaugh, to increase Melissa Altland's hourly rate by \$1, effective immediately because she now qualifies as a Notary Public. All members voted aye; motion carried.

C. Engineer's Report

Keeney Road follow-up: on September 14, 2022, Township Engineer Bill Rudy evaluated Mr. Stough's property with regard to stormwater runoff. His suggestion was to have Mr. Stough have a landscaper add to the existing berm. This is not the Township responsibility to remedy. This was discussed in Public Comment above ↑.

D. Solicitor's Report

1. Act 57 -- recently passed allows taxpayers who fail to receive a tax notice during their first year of occupancy to apply for a waiver from penalties and additional cost from the Tax Collector. Authorize solicitor to prepare a Resolution. **Motion** by Luckenbaugh, second by LeVault, to authorize solicitor to prepare the resolution. All members voted aye; motion carried.

IX Old Business

Nothing at this time.

XI. New Business

A. Received Volunteer Fire Relief Association state aid allocation in the amount of \$57,227. **Motion** by LeVault, second by Luckenbaugh, to accept the Volunteer Fire Relief Association state aid. All members voted aye; motion carried.

B. Received non-uniform pension state aid in the amount of \$39,347.70. **Motion** by LeVault, second by Luckenbaugh, to accept the non-uniform pension state aid. All members voted aye; motion carried.

C. Received notice of estimated allocation for liquid fuels for 2023 in the amount of \$348,278.33 and the turn-back allocation in the amount of \$16,160. **Motion** by LeVault, second by Luckenbaugh, to accept the funds above. All members voted aye; motion carried.

D. **Motion** by Luckenbaugh, second by LeVault, to authorize the use of fire police by Seven Valleys Borough for a pumpkin walk along the rail trail (sponsored by the York County Rail Trail Authority) on October 22, 2022, 6 to 9 p.m.

XII. **Announcements**

A. The Board of Supervisors will meet on November 1, 7 p.m.

B. Northern York County Regional Police Commission will meet on October 18, 6 p.m.

C. Planning Commission will meet on October 24, 7 p.m. Anyone interested in serving on the Planning Commission? Contact the Township!!

This meeting will *recess* until October 10 at 8 a.m. for a budget work session and any other Township business that might come before the Board.

Nelson Brenneman said that some residents have asked him about driveways/roads to be corrected. That's a work in progress.

At 8:21 p.m., the meeting *recessed* until October 10 at 8 a.m.

Respectfully submitted,

Sharon Kerchner,
Township Secretary/Manager

Julie B. Maher,
Recording Secretary