

Chairman Barry Rebert called the regularly scheduled meeting to order at 7:00 p.m. Supervisors present: Dennis Luckenbaugh and Tanya Crawford. Present on behalf of the Township: Manager Joy Strausbaugh, Mark Clark from J. R. Holley and Associates and Solicitor William Poole. Also present: Recording Secretary and twenty-five (25) citizens.

I. Minutes

Motion by Crawford, second by Luckenbaugh, to approve the minutes of the meeting of March 17, 2009. All members voted aye; motion carried.

II. Treasurer's Report

A. **Motion** by Luckenbaugh, second by Crawford, to approve the Treasurer's Report for March 2009 as presented. All members voted aye; motion carried.

III. General Public Comment

Dave Stambaugh, 3316 Days Mill Road, asked about the Colonial Crossings sewer connection issues. How will the Township suffer if Colonial Crossings does not connect to the Township's sewer system? Mr. Poole explained the situation. The PUC has made its decision, and the Township is exploring its options. As the current situation continues under the PUC's decision, it will be a costly venture to the Sewer Authority. The Township is working with the Sewer Authority and area legislators to resolve this situation.

Mike Hoy, 1834 Hoke Road, asked about the progress on hiring a Zoning Officer. Nine (9) applications have been received and hopefully someone will be hired next month. Applications have been received for the Manager's position as well, and those interviews will be scheduled.

Rodney Shearer, 5244 Shearer Lane, inquired about someone running for office who is also a Township employee. Can he stand at the polls, since it is Township property? Yes, that will be no problem.

IV. Police Report and Police Board Report

Mr. Rebert presented the Police Report for March 2009, in the absence of a police officer. Chief Bean has provided information on farm vehicles, which will be published in the next newsletter and on the website. The Chief is applying for a federal grant to possibly hire two (2) new police officers. Rodney Shearer asked about negotiations on the upcoming police contract. There has been no negotiation from either side at this point. Shearer also questioned if there had been any credit from SWRPD to the municipalities this year - No.

Supervisor Luckenbaugh asked about the cost of the police officers and the length of the grant - \$480,000 for two (2) officers over a three (3) year period. The department must keep the officers for one (1) year after the grant expires. It was noted that the hiring of any officers has not been approved by any of the municipalities at this point.

V. Fire Company Report

Fire Chief Larry Wildasin presented the Fire Company Report for March 2009. There was a structure fire on Murphy Lane: the fire trucks experienced a great deal of difficulty negotiating Murphy Lane due to the lack of road base and the lack of a clear path for the fire trucks to travel. They had to stop at least twenty-five (25) to thirty (30) feet before their destination, losing needed time, having to drag the hose that distance. It took the firefighters at least five (5) to ten (10) minutes longer to get set up, which could have made a big

difference, as the first floor was fully involved. Had someone been trapped inside, this fire could have been a matter of life or death. The lanes and driveways are addressed when there is new construction; however, this lane existed long before change was made to the ordinances. Mr. Wildasin will have a corresponding article for the next newsletter. The dry hydrant was installed at the Ilyes property and one was installed at Kessler Pond (at PHG). The York County Emergency radio system is not working properly yet. Mr. Luckenbaugh noted that the overhead doors at the Fire Company need new seals. Mr. Wildasin noted that the Twp. EOC is not functioning properly right now due to the County radio problems. Should there be an event, the old system would need to be used. **Motion** by Rebert, second by Crawford, to authorize the Manager to write a letter to the County Commissioners urging them to get the radios fixed for the emergency and police personnel. All members voted aye; motion carried. Other municipalities should be urged to do the same.

Fred Christensen (Twp. Emergency Communications Coordinator), 4962 Lehman Road, noted that the only reliable piece of equipment right now is the ham radio, which does not have a proper antenna, as we are waiting for the new radio system to be completed. There are no coordinated communication systems at this time.

VI.

Permits, Plans, and Modules

A. Jerry Stahlman was present on the Lynwood Phase II-C, Final S/D Plan #A-03-006, located on Lynwood Drive. The extension of time that the Township granted this applicant expires tonight (April 21, 2009). Mr. Stahlman presented a fact sheet and a configuration that DEP has indicated that they would approve. Mr. Stallman asked for a resubmission of the module tonight. The Manager pointed out that our SEO has to review the Module before the Township could agree to resubmit this module. This means there is more time needed to and a bit more time to allow the SEO time to review the module and report to the Township.

Motion by Rebert, second by Luckenbaugh, to grant an extension of time of six (6) months from now, to October 21, 2009, for the Lynwood Phase II-C Final Subdivision Plan #A-03-006. All members voted aye; motion carried.

B. Brad Pontz from LSC was present on behalf of the Evento/Hinkle Estate Final S/D Plan #2008.0168.00 located on Glatfelters Station Road. There are four (4) existing lots, and the plan proposes a reconfiguration of the lot lines. It was noted that three (3) lots were split from the parent tract to add to the existing lots. There was a bit of confusion on why the applicant is requesting a waiver of Section 165-10.B.1 and .2, since it involves five (5) lots or fewer. Mr. Pontz noted that the existing lots were subdivided before the subdivision ordinance was enacted. He feels that the applicants are not creating any new lots, just adding to existing lots. Mr. Poole suggested that the section of the ordinance that requires a Zoning Officer to make a determination about the preliminary plan waiver is confusing and inappropriate and should be revised. **Motion** by Crawford, second by Luckenbaugh, to approve the Evento/Hinkle request for waiver to Section 165-10.A and B. of the NCT Code, preliminary plan requirements. All members voted aye; motion carried. **Motion** by Rebert, second by Crawford, to approve the Evento/Hinkle request for Waiver and Non-Building declaration (the new name for the Form B Waiver), and forward the same to DEP. All members voted aye; motion carried. **Motion** by Luckenbaugh, *no second*, to approve the Final S/D Plan #2008.0168.0 of Evento/Hinkle on Glatfelters Station Road, subject to the deeds of merger being prepared and recorded for each lot within sixty (60) days of approval. *This motion died for lack of a second.* **Motion** by Rebert, second by Crawford, to approve the Final S/D Plan #2008.0168.00 of Evento/Hinkle on Glatfelters Station Road, subject to the deeds of merger being prepared and recorded for each lot within sixty (60) days of approval, plus the payment of \$6000 (\$1500 each of four lots) in rec fees. Two members voted aye; Luckenbaugh *opposed*. Motion carried. Mr. Poole will send out a conditional approval letter.

C. Tom Farcht of Johnson Mirmiran & Thompson was present on the David P. Sheely/Kenneth Gladfelter Final S/D Plan #604-630 located on Green Valley Road. **Motion** by Rebert, second by Luckenbaugh, to approve the Sheely/Gladfelter request for Waiver and Non-Building declaration and forward it to DEP. All members voted aye; motion carried. All Engineer's comments have been addressed, however, the rec fees of \$1,500.00 are still outstanding. **Motion** by Rebert, second by Crawford, to approve the Final S/D Plan #604-630 of David Sheely/Kenneth Gladfelter located on Green Valley Road, subject to payment of the rec fees of \$1,500.00, AND a deed of merger being recorded within sixty (60) days. Two members voted aye; Luckenbaugh *opposed*. Motion carried.

VII. Administrative Reports

A. Manager's Report

1. Two properties have applied for inclusion into the York County Ag Land Preservation Program: David, Clair, and Geraldine Altland at 3470 Tunnel Hill Road, 53 acres; and Matthew and Candy R. Kessler at 2416 Clearview Lane (also Stoverstown Road), 77 acres.

2. The Gladfelter easements for the Ambau Road culvert are nearly ready. Mrs. Strausbaugh noted that the easement will be revised to indicate the executors of the estate in question which includes PNC Bank in Philadelphia. This will allow the culvert work to proceed.

B. Engineer's Report

1. Mark Clark from J. R. Holley & Associates presented the bids for materials. He noted that the paving bids are especially high, due to built-in escalation costs by the bidders. On the recommendation of the Township Manager and the Engineer, the paving materials should be re-bid allowing the escalator clause. The bids should come in at least \$10 lower per ton, after speaking to several of the bidders.

Motion by Crawford, second by Luckenbaugh, to award Materials Bids for 2009 for Items B Through G, and reject the bids for Item A for paving materials, rebid Item A with an escalator clause, and reject bids for Items H for rental of equipment, all as recommended by the Township Engineer. All members voted aye; motion carried.

2. **Motion** by Rebert, second by Luckenbaugh, to approve Resolution 06-04-2009, allowing the invocation of the Escalator Clause for the re-bid of Paving Materials for 2009. All members voted aye; motion carried. (Mark Clark was dismissed at this point).

3. The Stambaugh Road culvert replacement application notice has been received.

4. Aylesbury has requested a security reduction of \$281,420.59. The Engineer, however, has recommended a reduction of \$280,306.51. **Motion** by Crawford, second by Luckenbaugh, to reduce the Aylesbury security by 281,420.59, as recommended by the Engineer leaving a balance remaining of \$147,496.58. All members voted aye; motion carried.

C. Solicitor's Report

1. Mr. Poole reported that FEMA has adopted the new flood plain maps which will become effective about September 25th or 26th. The Township must adopt the new changes by ordinance in order to permit Township residents to apply and qualify for flood insurance as required. He recommends that the new Township ordinances be in place as soon as possible to comply with the FEMA requirements. **Motion** by Crawford, second by Rebert, to authorize Mr. Poole to move forward with the preparation of the new floodplain ordinance and recommend the changes for the zoning and subdivision ordinances in regard to the same. All members voted aye; motion carried.

2. **Motion** by Luckenbaugh, second by Crawford, to authorize the Solicitor to prepare the

refuse fee resolution.

Kris Dennis, of 2909 Cedar Hill Road, asked for clarification on this issue. He feels that it would be better to charge all the residents the fee rather than raise it for those who use the services. Some residents do not have garbage collection, and it is not mandatory in this Township. Once the Township has 10,000 residents, garbage collection will be mandatory.

Dave Stambaugh of 3316 Days Mill Road asked why the fee is being raised. The Township is not collecting enough money to cover the administrative costs. It is being raised \$10, and the credit for paying the entire year in advance is \$15.00.

Teena Hoy of 1834 Hoke Road questioned this, as her Tax Collector salary was cut, and she still has the administrative costs that she must pay. She wondered how the Township can justify the increase. Dave Stambaugh feels that the rate should be raised when the garbage contract is re-bid.

Vote on the motion: All members voted aye; motion carried.

3. Mr. Poole noted that some changes are required to the SD/LD Ordinances for the flood plain ordinance. He suggested that the confusing part of the preliminary plan waiver be changed at the same time. He suggested that the Zoning Officer should not be making a decision on the Subdivision Ordinance for the waiver request for the preliminary plan. Mrs. Strausbaugh noted that there are several ordinance changes that ought to be addressed at the same time if possible.

VIII. Old Business

None at this time.

IX. New Business

A. **Motion** by Rebert, second by Luckenbaugh, to approve the Section 125 of the IRS Code agreement regarding health insurance being withheld from employees salary prior to taxes. All members voted aye; motion carried.

B. Earle Wolfe is resigning from the Sewer Authority, as he is moving out of the Township. A replacement is being sought. **Motion** by Rebert, second by Crawford, to accept, with regret, the resignation of Earle Wolfe, and to have the Township Secretary write a letter to Mr. Wolfe, thanking him for his service to the Township. All members voted aye; motion carried.

C. **Motion** by Luckenbaugh, second by Crawford, to approve the Chairman to sign the JAG Grant and execute the Memorandum of Understanding for the County. All members voted aye; motion carried. The money will be used to install surveillance cameras in and around the building and park.

D. **Motion** by Crawford, second by Luckenbaugh, to approve the budgeted purchase of the Wacker for the road crew at a cost NTE \$3000. All members voted aye; motion carried.

E. **Motion** by Crawford, second by Rebert, to approve Resolution 05-04-2009, the submission of the Recreation Grant. All members voted aye; motion carried. The money will be used to extend the walking trail, upgrade and increase parking area, a small storage/concession building and several landscaping upgrades to the park.

F. Mr. Poole noted that Cornerstone has appealed the Board's denial of the Phase IV Final Plan. Mr. Poole will be requesting a discussion at an Executive Session following tonight's meeting.

G. Dave Forbes asked about his proposed 6.2 acre development, only part of which lies in NCT. The bulk of the land is in York New Salem Borough. Last year he could not get any EDUs for his plan. The NCT Sewer Authority has advised him that he should request EDUs for four (4) homes that will lie within the

Township. The Board of Supervisors advised him to go to the In-House meeting and let the Staff and County review the Sketch Plan and make recommendations.

X.

Announcements

- A. The Rec Board will meet on April 27th at 7 p.m.
- B. The Planning Commission will meet on April 28th at 7 p.m.
- C. The Board of Supervisors will meet on May 19th at 7 p.m.
- D. The SWRPD Board will meet on May 13th at 7 p.m. at 6115 Thoman Drive.
- E. The Sewer Authority will meet on May 18th at 7 p.m.
- F. The ZHB will meet on May 21st at 7 p.m.

At 8:55 p.m., the Board retired to an Executive Session to discuss Personnel and Litigation. The Board returned from Executive Session at 9:34 p.m. The Board picked three (3) applicants to interview for the position of Zoning Officer, to be held on April 28th. **Motion** by Crawford, second by Rebert giving the Board authority to make an employment offer for the position of Zoning Officer before the next meeting. All members voted aye; motion carried.

Motion by Rebert, second by Crawford, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:40 p.m.

Respectfully submitted,

Joy Ann Strausbaugh
Secretary