

Vice Chairman Rodney Shearer called the regularly scheduled meeting to order at 7:00 p.m. Supervisor present: Dennis Luckenbaugh. Chairman Lee Hall was absent. Present on behalf of the Township: Manager Joy Strausbaugh, Solicitor William Poole and Greg Hertz of KPI. Also present: Recording Secretary and nine citizens.

I. **Minutes**

There were no minutes available for approval.

II. **Treasurer's Report**

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

III. **General Public Comment**

None at this time.

IV. **Police Report**

None at this time.

V. **Permits, Plans, and Modules**

A. **Motion** by Luckenbaugh, second by Shearer, to approve Road Opening Permit #09-2007, requested by Columbia Gas for a new service at 4442 Walters Hatchery Road. All members voted aye; motion carried.

B. Susan Bucchioni of 5150 Bentz Road was present to request a waiver to Section 165-42.A of the NCT Code, which only allows one driveway per lot. Ms. Bucchioni is requesting a second driveway on her property. She has an existing driveway and would like the second driveway to access a future pole building. The Zoning Officer has no objections to this waiver. Sight distance is acceptable. **Motion** by Luckenbaugh, second by Shearer, to approve the request by Susan Bucchioni for a waiver of Section 165-42.A, allowing a second driveway to be placed on the lot. All members voted aye; motion carried.

C. David Dittenhafer of 4791 Walters Hatchery Road was present to request a waiver to Section 165-42.A of the NCT, which only allows one driveway per lot. This request is for a minimal-use driveway in addition to his existing driveway. The property borders Bentz Road as well, which had been a State road. Mr. Dittenhafer originally made this request to the State and met all the State driveway requirements. The road has since become a Township road. **Motion** by Luckenbaugh, second by Shearer, to approve the request for a waiver from Section 165-42.A, allowing a second driveway to be placed on the lot. All members voted aye; motion carried.

D. Doug Stambaugh of GHI was present on the P.H. Glatfelter Company Final S/D Plan #6-2007 (Twp. assigned #) located on Sinsheim Road in Manheim Township, a small portion of which lies in NCT. This plan is a simple add-on subdivision. There is an existing dwelling on Sinsheim Road which the applicant wants to subdivide off. The applicant wants to subdivide about a 5.7 acre parcel on Sinsheim Road off the main lot.

This does not leave sufficient frontage on Sinsheim Road for the remaining parcel. Two other parcels of land have been combined to get the necessary frontage on Hoff Road, which is in Heidelberg Township. There is only a small sliver of the land in NCT bordering Park Road, none being affected by the subdivision. Mannheim and Heidelberg Townships have both approved this plan. NCT's Planning Commission did not vote on this plan due to the fact that one of the Commission members present is an employee of Glatfelters and did not want to vote on the plan; therefore, the PC did not have a quorum to vote on this plan. **Motion** by Luckenbaugh, second by Shearer, to approve the P. H. Glatfelter S/D Plan #6-2007. All members voted aye; motion carried.

E. Adam Anderson from Gordon Brown & Associates was present on the Twin Pine Farms, Inc. Final Subdivision Plan #L-5024 located on Tunnel Hill Road. This is a one-lot subdivision. The sewer easement approval letter from DEP was received today. Mr. Poole advised that new deeds have to be prepared for all lots affected, including the residual tract, adding the easement information, and for the deeds to be presented to the Township prior to final approval on this plan. All other conditions, except payment of rec fees, have been met. The Planning Commission members must sign this plan. **Motion** by Shearer, second by Luckenbaugh, to approve the Final Subdivision Plan #L-5024 for Twin Pine Farms, Inc., located on Tunnel Hill Road, provided the easement is added to both deeds and that the recreation fees are paid. All members voted aye; motion carried.

## VI. Administrative Reports

### A. Manager's Report

1. The Township received letters of thanks from the VNA, the York County Quick Response Team and the Susquehanna Stray Animal Shelter. These letters will be on file.

2. There is a Chesapeake Bay Alliance meeting being held here on Thursday.

3. YCSWA recycling rate is now up to 56.9%, which is excellent.

4. The Township received a letter from Jeff and Sally Hersh, 4744 Zeiglers Church Road, expressing the concern that they not receive any additional stormwater runoff from development onto their property. They outlined already existing runoff problems. Their property is suffering severe erosion problems. This letter is referring to the John Shearer Partnership S/D Plan which is still on the floor for consideration. Mrs. Strausbaugh will file the letter with the Shearer Plan.

### B. Engineer's Report

1. The walking path is being installed in Colonial Crossings. Inspections with KPI and the Road Master are ongoing on Patriot Street and Paine Boulevard, the two (2) streets slated to be public streets within Colonial Crossings.

2. Aylesbury inspections are ongoing as well: the main stormwater basin has been installed. They are now starting on some of the streets and placement of sewer lines. The Engineers have requested compaction reports on the streets as they are being installed.

3. The bids for the box culvert on Buffalo Valley Road were opened today, only receiving one bid. KPI recommends accepting the bid of \$52,875, from Terre

Hill Concrete. The Engineer called Terre Hill to confirm the accuracy of the bid as this bid is approximately \$12,000 lower than the previous bid adding the wing walls. The bid is accurate. Mr. Shearer stated he would like to have seen more bidders, but this is such a savings that he is willing to award the culvert as bid. **Motion** by Luckenbaugh, second by Shearer, to award the bid to Terre Hill Concrete for the box culvert, wing walls and placement of the unit on Buffalo Valley Road in the amount of \$52,875. All members voted aye; motion carried. The contract stated eight (8) weeks delivery.

#### C. Solicitor's Report

1. Mr. Poole gave an update on the police building buyout. He provided a summary of the bank proposals on the loan to the Supervisors. He compared the lenders and the terms. Mr. Poole highlighted Sovereign Bank who had very slightly lower rates than Community Bank; however, Sovereign was charging fees that Community was not proposing. The difference between the two (2) proposals is very minimal. The Township will need to set up a Sinking Fund which is a separate account out of which the payments will be taken. One advantage of selecting Community Banks is that the Township accounts are already on deposit there and the payment to and from the Sinking Fund may be able to be done automatically. The Solicitor would not recommend either Bank of Hanover or M & T proposals - the interest rates are higher and they have prepayment penalties. To borrow the \$280,000, the Board must pass an ordinance, following the Local Govt. Unit Debt Act, advertise the intent to pass it and advertise when the ordinance has been passed. The ordinance authorizes the appropriate individuals to sign all of the documents and then the whole packet is forwarded to DCED. There is a time crunch on this project. If a decision cannot be made on this issue tonight, rather than adjourning this meeting, have it continued to a set time and day, to allow Chairman Hall to look at the documents and to assure a quorum for voting on this issue. Mr. Luckenbaugh voiced his opposition to this buyout. He will not vote for this building; the assessed value is only set at \$510,640 when the deed was transferred. Our share alone of this building is \$570,000, which is only 48% of the cost. Tanya Crawford stated that is only the assessed value. She further asked what the assessed value is of this municipal building. Mr. Luckenbaugh stated that when he buys a piece of property, he looks up the assessed value. Ms. Crawford then asked if Mr. Luckenbaugh had looked at the assessed value of the Nace property. Mr. Luckenbaugh stated that he was not involved with the Nace property. Mr. Luckenbaugh again stated he will not vote for this. The Solicitor reiterated the process which needs to be followed. The Township has to first approve one of the bank proposals and then authorize Bill Poole to proceed with the completion of the documents and the advertisement and set a time for the hearing. This issue will be tabled to the meeting continuation. (The Engineer was dismissed at this time)

2. Mr. Poole noted that the Antonino and Antonina Mannino ZHB appeal has been assigned to Judge Stephen Linebaugh. This case will be decided on oral arguments or evidentiary hearings or decide the case on what has already been submitted. There is no time limit on when the decision has to be made. It is not a difficult case. Now we wait.

3. Mr. Poole noted that Mike Fenton of 2286 Brush Valley Road has sent a letter disputing some of the engineering charges by C. S. Davidson. The Township has

already paid the engineering bill. Mr. Fenton is disagreeing with the excessive charges from CSD when his engineer did most of the work. Mr. Shearer questioned of the Solicitor what the Township should do in a situation such as this. The Supervisors authorized Mr. Poole to send a letter to Mr. Fenton, giving the statutory authority to charge the engineering fees and requesting that Mr. Fenton reimburse the Township for these costs.

4. **Motion** by Shearer, second by Luckenbaugh, to authorize Mr. Poole to prepare a corrected deed for the Nace property, with regard to the size of the property. All members voted aye; motion carried. The Township should consider that a portion of the property could be tax exempt. For the small value of the land itself, it may not be worth it.

D. Police Board Report

1. Mr. Shearer reported that he does not, as previously thought, have the total costs of settlement on the police building buyout, even though Atty. Tilley stated that each municipality was given their total cost for settlement.

2. The meeting on the 2008 SWRPD budget will be tomorrow evening at 7 p.m. at the police building. No revised budget has yet been received.

E. Fire Company Report

1. Mr. Shearer gave the report for June as presented. There was a total of 52 calls for the month, with no reported losses.

VII. **Old Business**

A. There is still a vacancy on the Sewer Authority Board. The Board decided to take any volunteer, whether in or out of the Sewer District.

VIII. **New Business**

A. When the radio assessments were done for the Township, there are two (2) base stations here at the Township, one for the FD to use and one for EMA to use. The County had agreed to replace what was here; however, their assessment is that only one base station with the remote and desktop will allow a portable to be plugged in and used as the second base station. This is cheaper than two (2) base stations. This will incur additional cost. Both Chief Wildasin and EMC Stough have agreed to the change.

**Motion** by Shearer, second by Luckenbaugh, to authorize the EMA radio changes at an additional cost of \$1,918.50. All members voted aye; motion carried.

B. **Motion** by Luckenbaugh, second by Shearer, to regretfully accept the resignation of Shawn Fishel from the Recreation Board. All members voted aye; motion carried.

C. **Motion** by Shearer, second by Luckenbaugh, to approve the request of Spring Grove Borough for use of Fire Police at the Spring Grove Borough September Fest on September 22<sup>nd</sup>, from 8 a.m. to dusk, and a request from Dover Fire Company for the use of fire police at the York County Fire Convention Parade in Dover on August 28<sup>th</sup>, 2007. All members voted aye; motion carried.

D. No action was taken on the Aylesbury fire hydrant request as there was incorrect information on the request. There were more hydrants on the plan than on the request.

IX. Announcements

- A. There will be no Zoning Hearing Board meeting this month
- B. The Recreation Board will meet on July 23<sup>rd</sup> at 7 p.m.
- C. The Planning Commission will meet on July 24<sup>th</sup> at 7 p.m.
- D. The Board of Supervisors will meet on August 21<sup>st</sup> at 7 p.m.
- E. The SWRPD Board will meet on August 8<sup>th</sup> at 7 p.m. at 6115 Thoman Drive.
- F. The Sewer Authority will meet on August 20<sup>th</sup> at 7 p.m.

This meeting is *continued* until Friday, July 20<sup>th</sup>, at 12:30 p.m.

The meeting was continued on Friday, July 20, 2007 at 12:30 p.m. with the following Supervisors present: Chairman Lee Hall, Supervisors Rodney Shearer and Dennis Luckenbaugh. Also present for the Township are: Manager Joy Strausbaugh and Solicitor William Poole. Since Rodney Shearer had chaired the former part of the meeting in the absence of Mr. Hall, Mr. Shearer continued as the Chairman of the meeting. Anything needing the Chairman's signature, Mr. Hall is now present to do so.

The purpose of this continuation is to consider the bank proposals on the \$280,000 loan to finance part of the Township's obligations for purchase of the SWRPD building. Mr. Shearer stated that the Sovereign proposal quoted a slightly lower interest rate; however, there were other fees involved. Community Bank proposal quoted a very similar interest rate with no other fees involved. The amount being borrowed is \$280,000. Chairman Hall suggested that Community Bank should be approached to possibly reduce the interest rate for a direct deposit/payment relationship. **Motion** by Hall, second by Shearer, that NCT approve the \$280,000 loan from Community Banks for the purpose of partial payment toward the purchase of the SWRPD building, with the remaining portion owed by NCT of \$259,172.04 coming from General Funds on hand, for a term of seven (7) years at a 4.65% interest rate and authorize Solicitor Poole to proceed with the preparation of the documentation. A roll call vote was taken. Hall-Aye, Shearer - Aye, Luckenbaugh - Nay. The motion passed 2-1.

A date was set for the next special meeting for July 31, 2007 at 2:00 p.m. The Solicitor re-affirmed the fact that Joy Strausbaugh was appointed as Assistant Township Treasurer at the 2007 re-organization meeting, and as such is authorized to sign the paperwork necessary.

**Motion** to adjourn was made by Luckenbaugh, second by Hall. All members voted aye; motion carried. The meeting adjourned at 12:45 p.m.

Respectfully submitted,

Joy Ann Strausbaugh, Secretary