

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, Solicitor William Poole and Greg Hertz of KPI. Also present: Recording Secretary and fourteen (14) citizens.

I. **Minutes**

Motion by Crawford, second by Rebert, to approve the minutes of the meeting of February 19, 2008. All members voted aye; motion carried.

II. **Treasurer's Report**

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

III. **General Public Comment**

A. Greg Hess of 5107 Waltersdorff Road asked about selling a portion of his lot to his neighbor Anthony Villarreal of 5119 Waltersdorff Road. He was unsure if a subdivision is necessary. Mr. Hess obtained land from a neighboring property owner; therefore it is a combined tract of three (3) parcels. Mr. Poole noted that the parcel is on one deed with one perimeter description, which will require a reverse subdivision. The three (3) parcels were already merged into one deed as that was a condition of the subdivision in 2001. But now, at issue is the restriction that allows subdivision of only 5% of the original lot. He will likely need to apply for a variance to exceed the 5%. Mr. Hess should discuss the situation with the Zoning Officer.

B. John Brenneman asked whether the Township is still holding security on the stormwater management for the Lynwood Development. He is still dealing with increased water on his lot which creates a mess in his pasture to the point that he cannot mow it. He feels that this is the result of an improper installation of the stormwater system in the Lynwood development. Mrs. Strausbaugh recalls that the site was inspected and approved at a prior time with Engineer Terry Myers. Terry determined that post-development stormwater runoff did not exceed pre-development stormwater runoff. Mr. Brenneman feels that the water is not being contained properly. It was decided to have KPI meet with John Brenneman on site. Jerry Stahlman and Barry Rebert asked to accompany them. Greg will set this up.

IV. **Police Report and Police Board Report**

Officer Jeff Knouse gave the Police Report for February 2008. He noted that he is the officer in charge of property and evidence in the department, and he gave a synopsis of his procedures.

Chairman Rebert gave a report on the last Police Board meeting. The latest figures on regional police department comparisons were discussed. Officers are receiving training on the new tasers and the new Glock handguns. The hiring consortium will soon supply new applicants for the hiring of another officer to fill the vacancy that still exists.

V. **Fire Report for February 2008**

Fire Chief Larry Wildasin gave the Fire Department report for February 2008.

VI. Permits, Plans, and Modules

A. Jerry Stahlman was present on the Lynwood Phase II-C Final Subdivision Plan #A-03-006 on behalf of F&S Partners. Their extended deadline for consideration of the plan expires tonight. (At this point Jerry offered to go out with the engineer and Mr. Brenneman with regard to the Mitzel ROW that flows toward the Brenneman property). Jerry is here due to the problems caused by DEP's denial of the last sewage module submission. Basically, the module was re-designed to meet all of the comments from the York DEP office: the module was then submitted to Harrisburg office and denied. The DEP denial was not specific in their reason for denial. After conferring with Mark Sigouin at DEP, it was determined that he was asking for technical information on the systems being proposed for Lynwood.

Mr. Stahlman is scheduled to meet with a DEP representative to go over some final numbers before re-submitting the module to DEP. The previous extension of time expires tonight. The DEP representative feels that ninety (90) days will be sufficient for that agency to review this submission. Mr. Stahlman requested a letter from the Township confirming that this development was already listed as an exemption to new requirements contained in the Act 537 Plan and an extension of time until the July meeting to get the DEP submission approved. In a previous conversation with Mr. Stahlman, the Township Manager suggested that the developer get the Township to write a letter to DEP in support of their exemption. Since the rec fees were withheld until the last phase of this development, the Township is definitely losing out if this development cannot move forward. **Motion** by Rebert, second by Crawford, to authorize Mr. Poole to send a letter to DEP verifying that Lynwood Phase II-C is exempt and to grant an extension of time until July 16, 2008 for consideration of their plan. All members voted aye; motion carried.

B. Craig Kehoe was present on the Colonial Crossings Lot #50 Revised Land Development Plan #071208. Craig produced correspondence from Terry Myers of CSD with regard to the number of EDUs available. There are eight (8) EDUs reserved for Lot #50 to go into the private WTP; three (3) are currently being used, leaving five (5) available. There are nineteen (19) EDUs available for the Colonial Crossings Development reserved in the public sewer system. One use being considered for the vacant spots is a day care center. Supervisor Crawford questioned if there was any plans for a laundromat. Mr. Kehoe said he is not the leasing agent, but he has not heard anything to that effect. A laundromat would require a substantial number of EDUs. That addresses Mrs. Crawford's concerns. **Motion** by Crawford, second by Rebert, to approve Colonial Crossings Lot #50 Revised Land Development Plan #071208, as long as the proposed use meets all Township ordinance requirements. All members voted aye; motion carried.

C. Holly Court Discussion - Attorney Scott Ruth was present on behalf of the developer, Gary Gregory. This is the Salem Hill Addition Plan of Benjamin W. and Helen R. Sweigart, Plan #H-653 originally approved in 1973. The Supervisors agreed to honor this plan in September of 2007 as it still meets the zoning criteria with public water and public sewer. In September the issue of the cul de sac was discussed, that it would have to meet the current standards. Mr. Hertz commented that there is a concern on the stormwater impact on the surrounding areas. Apparently, there are plans to adequately address the stormwater issues as Mr. Gregory already has Hanover Land Services working on some plans to address this. Mr. Hertz has yet to see those plans, so did not want to address those issues yet. Rec fees are also at issue here - they will be required. The Rec fees are \$1500 per dwelling unit. Attorney Ruth questioned whether there was a stormwater plan or rec fees in place in 1973. The Manager pointed out this Board was reaffirming this plan in 2008 and both exist. This developer would have had to pay out considerable sums to have this plan drawn and processed in 2008. What the Township is asking to be addressed is very minor in comparison. Attorney Ruth acknowledged the two (2) items discussed.

D. Road Occupancy Permit for Comcast on Waltersdorff Road - **Motion** by Luckenbaugh, second by Crawford, to approve the Road Occupancy Permit #01-2008 for Comcast in the 5200 block of Waltersdorff Road for the extension of cable service. All members voted aye; motion carried.

VII. **Administrative Reports**

A. Manager's Report

1. The 4/8 meeting which was scheduled as a hearing on the Williams Natural Gas Pipeline Project has been cancelled. The Township has since received an update on this pipeline project from York Co. Planning Commission which informs the reader that as many as five (5) companies may be bidding on this job, with each proposing a different route from Ohio to the Peach Bottom facility. As there is no definitive information available, the Township is going to wait until the plans are firmed up on this project to pass along any further information. Solicitor Poole added that Fawn and Hopewell Townships have written letters to Williams and their Federal Senators and elected officials in opposition of the siting of the pipeline.

2. There were seven (7) of the eight (8) people who responded to the request for participation on the Comp Plan committee who returned the volunteer questionnaires sent out. Some of these people also volunteered to serve the Township in other capacities, which is always good news!

B. Engineer's Report

1. Mr. Hertz presented a plan for the survey of the park area below the baseball field, with KPI's recommendation. Mrs. Strausbaugh presented a recent survey and feels that some of the survey work may not be warranted. The plans are to grub this area out, removing the thorny vegetation and move some of the dirt from the top area of the bank down and level off some of the area and pull the contours in. With the recent survey of the property boundaries, the corners were set. Deadlines for DCNR grant application were discussed. **Motion** by Rebert, second by Luckenbaugh, to authorize the Engineer to attend the next Rec Board meeting, and to begin work on the park area planning starting below the baseball field, using the most recent survey information available. All members voted aye; motion carried.

2. When visiting the Messersmith Road and Tunnel Hill turnback projects for this summer, it was noted how much stormwater correction needs to be done. Mr. Hertz is planning to advertise for the work along with the materials bids on Monday. The Manager prepared a spreadsheet on the funding available for each of these projects - turnback funds and the Sewer Authority contributions. The Messersmith Road project comes up \$50,130.83 short and the Tunnel Hill Road project has a credit of \$16,275.15. This creates a net balance needed of approximately \$34,000 to complete the project. The PennDOT Municipal Services Rep Scott Lehman assured the Township that the drainage portion of the work can be set up as a separate Liquid Fuels project. **Motion** by Rebert, second by Luckenbaugh, to authorize the Engineer to prepare the specs for the Tunnel Hill and Messersmith Road projects. All members voted aye; motion carried.

3. **Motion** by Crawford, second by Luckenbaugh, to have KPI resubmit the application for the CDBG Project for Brown Road. All members voted aye; motion carried.

4. Mr. Poole questioned the Engineer with regard to the Gregory Contractors warranty language for the road restoration due to the public sewer installation. KPI was asked to check the sewer contracts for the depth of settlement required before the contractor has to do repairs. This warranty stipulates that there has to be settlement of greater than 1" before they have to do repairs to the roadway. Bill questioned if 1" was a reasonable standard. Mr. Hertz will look up the information and forward it to Mr. Poole.

C. Solicitor's Report

1. Mr. Poole reported that he attended the Schrum zoning hearing held February 21st.

Testimony was closed and a decision was deferred until March 20th. Mr. Poole feels that he does not need to attend the hearing on 3/20: he checked with the ZHB Solicitor and they are just going to announce their decision. Mrs. Crawford said that she will be attending.

VIII. **Old Business**

A. A public hearing was opened at 8:14 p.m. on Ordinance #205-03-2008 which provides for the issuance of a general obligation note in the amount of \$300,000 for the purchase of a fire truck. It was noted that the Fire Department's Relief Association is contributing 40% of the cost of the truck. It was also noted that the term of the note is designated as eight (8) years. Hearing closed. **Motion** by Luckenbaugh, second by Rebert, to adopt Ordinance #205-03-2008, authorizing the issuance of a general obligation note for \$300,000 for the purchase of a fire rescue pumper truck and authorize the Chairman and the Secretary to sign all necessary documents to execute any necessary paperwork needed. All members voted aye; motion carried.

B. It was noted that the Board agreed to pay the police contract payment one month early in each quarter in 2008, but at this time, that is not possible because of reduced cash balances. Supervisor Crawford suggested changing the police department fiscal year, to have it begin in October. That would alleviate the scheduled payments when income is down, because this will be a problem every year. **Motion** by Rebert, second by Luckenbaugh, to rescind the decision to make the second quarter payment for the police contract one month early. All members voted aye; motion carried.

C. Several months ago, the Township opted not to participate in payment for the gypsy moth spray program as there were no spray blocks located in the Township. There actually is one block within NCT, located on Little John Drive. The cost to pay our share is \$426. **Motion** by Luckenbaugh, second by Rebert, to participate in the gypsy moth spraying program with the County at a cost of \$426.00. All members voted aye; motion carried.

IX. **New Business**

A. **Motion** by Luckenbaugh, second by Crawford, to regretfully accept the resignation of Elizabeth Sterner from the Planning Commission. All members voted aye; motion carried.

B. **Motion** by Luckenbaugh, second by Rebert to regretfully accept the resignation of James Crawford as the Alternate on the Zoning Hearing Board. All members voted aye; motion carried.

C. **Motion** by Luckenbaugh, second by Rebert, to appoint Michael J. Shubert of 4043 Sharoden Drive to fill out the vacancy on the Planning Commission. Two(2) members voted aye; Crawford opposed. Motion carried. Mrs. Crawford opposed because she has never seen the applicant at a meeting and feels that it is important to attend a Township meeting if one intends to serve.

D. **Motion** by Luckenbaugh, second by Rebert, to accept the application of James D. Crawford of 3651 Aldinger Road to the vacant position on the Sewer Authority. All members voted aye; motion carried.

E. There are two (2) lots that were donated to the Township by Harry Wright in 1997 and a lot on Bentz Road that the Township purchased in 1942 - stone was taken from there to put on the roads at that time. These lots are sitting idle. Taxes are being paid on the two (2) Wright lots. The Township tried to get tax exempt status, but it was denied on the basis that it was not being put to public use. Would it be beneficial to the Township to sell them? The lots would need to be appraised before offering them for sale. The lot on Bentz Road would probably need to be perked to be made more attractive.

Mr. Luckenbaugh read the following statement: "Let the minutes show that Supervisor Luckenbaugh is not in favor of selling the 2-acre tract of land on Bentz Road, adjacent to the Lake Club. This tract of land

was purchased in 1942 for the materials to be used on the Township roads. The Township owned this tract for 66 years, pays no taxes on it. And I think that it should be used for a Park, a lot of residents walk Bentz Road and it would be used. Resident complained to me that everything is in Stoverstown; the Township does nothing for the residents in that part of the Township.”

Motion by Crawford, second by Rebert, to authorize Mrs. Strausbaugh to get appraisals of the Township properties formerly known as the Wright properties. All members voted aye; motion carried.

Motion by Crawford, second by Rebert, to authorize Mrs. Strausbaugh to get appraisals of the Bentz Road property. Two (2) members voted aye; Luckenbaugh opposed. Motion carried.

F. There is an application from Jeffrey Kauffman to include land that he owns on Bentz Road for inclusion in the Township Ag Security program. The Solicitor advised if the Township takes no action, after 180 days, the land is included by default. The Board feels that this is the least costly option, rather than paying Mr. Poole to prepare all the paperwork. The Board decided to take no action.

X. **Announcements**

- A. The Zoning Hearing Board will meet on March 20th at 7 p.m.
- B. The Recreation Board will meet on March 24th at 7 p.m.
- C. The Planning Commission will meet on March 25th at 7 p.m.
- D. The Board of Supervisors will meet on April 15th at 7 p.m.
- E. The SWRPD Board will meet on April 9th at 7 p.m. at 6115 Thoman Drive.
- F. The Sewer Authority will meet on April 21st at 7 p.m.

Motion by Luckenbaugh, second by Crawford, to adjourn. All members voted aye; motion carried. The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Joy Ann Strausbaugh,
Secretary