

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 eight (8) citizens.

The Board met in an Executive Session prior to this meeting, with regard to personnel items. No action was taken.

I. **Minutes**

Motion by Crawford, second by Rebert, to approve the minutes of the meeting of April 15, 2008 as presented. All members voted aye; motion carried.

II. **Treasurer's Report**

A. **Motion** by Luckenbaugh, second by Crawford, to approve the Treasurer's Report for April 2008 as presented. All members voted aye; motion carried.

III. **General Public Comment**

None at this time.

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

Mr. Rebert reported that the Police Board met on May 14th, with the first part of the meeting set aside for an awards ceremony. Three (3) candidates were interviewed for the officer position that remains unfilled. The personnel board selected two (2) candidates to recommend for hiring. The position will most likely be offered to one of them.

Officer Brynn Lindenmuth gave the Police Report for April 2008. Mrs. Crawford asked if there are any problem roads in the Township that are known for accidents or speed. Officer Lindenmuth noted that the department works with PennDOT to identify and target problem areas. He also noted that there is no further information available on the possible child abduction in the Colonial Crossings development area.

V. **Fire Report for April 2008**

Fire Chief Larry Wildasin gave the Fire Report for April 2008. He noted that the new fire truck has arrived and is waiting to be retrofitted with the hardware necessary to accommodate the equipment this truck will carry. It should be ready to be put into service by the middle or end of June. The Chief noted that the hydraulic tools are due for their annual inspection. This is a budgeted item that the Chief is requesting to have done - the approximate cost was \$1300. There are some mounting fixtures and minor tools that were overlooked for the new truck - the Chief is requesting that these be purchased out of their small tools budget. The cost will be in the area of \$1800-\$2000. The Relief is willing to do the same 60-40 split, making the Township contribution about \$1200.

Motion by Luckenbaugh, second by Crawford, to approve the budgeted expense of approximately \$1300 for the maintenance and inspection of the hydraulic tools and approve \$1200 for the additional mountings and small tools still needed for the new fire truck. All members voted aye; motion carried. Shortly after the new truck is in service, the old Rescue Truck and the old Pumper will be available for sale or use. Chairman Rebert asked Larry to list the details of each truck and the equipment that will remain on each.

VI. Permits, Plans, and Modules

A. Denny Potts from Gordon L. Brown & Associates was present on the Timothy O. Lau, et al, Final Subdivision Plan #L-5200 located on Seven Valleys, Green Valley, Cemetery and North Rohrbaugh Roads. This is the former Paul Lau farm (now an estate) which is a 160-acre farm that is being subdivided. They would like to subdivide a tract for one residential lot that lays between Seven Valleys Road and North Rohrbaugh Road; the existing industrial area which lays between Green Valley Road and Seven Valleys Road would be another lot. Two lots will be added to the existing Timothy Lau property. All of the Planning Commission comments have been addressed. **Motion** by Crawford, second by Rebert, to approve the Final Subdivision Plan #L-5200 of Timothy O. Lau, et al. All members voted aye; motion carried.

B. No one was present on the Colonial Crossings Phase IV Land Development Plan #E6119.00 located on Mackenzi Lane. This plan is proposing a sewage module submission for the remaining 60 garden apartments that are waiting to be built. Mrs. Strausbaugh is recommending that action on this module should be tabled due to the fact that the Township Engineer has not had sufficient time to review it. **Motion** by Rebert, second by Crawford, to *table* the Colonial Crossings Phase IV Land Development Sewage Module to allow the Township Engineer sufficient review time. All members voted aye; motion carried.

C. Road Opening Permits

1. **Motion** by Luckenbaugh, second by Crawford, to approve the Road Opening Permits as follows: Road Opening Permit #04-2008 by York Water Company for installation of a new service at 1950 Hoff Road; Road Opening Permit #05-2008 by Daniel W. Miller, Jr. at 1858 Rockville Road for repair of a sewage system which crosses the roadway; and Road Opening Permit #06-2008 by Jerry Wivell for the installation of a public sewer line extension on Tunnel Hill Road into the C/L of Messersmith Road. All members voted aye; motion carried.

VII. Administrative Reports

A. Manager's Report

1. The Lehman Road resurfacing project will be starting June 2nd with Kinsley doing the work.
2. Two (2) farms have been preserved under the York County Agricultural Land Preservation Board. They are Dennis and Tana Martin at 2506 Park Road, 108.256 acres and Timothy and Karen Lau, 2161 Seven Valleys Road and Seven Valleys Borough, 120.049 acres.

3. Mr. Poole noted that the Supreme Court heard argument on the recent court case that determined that milling and reclamation paving are not considered maintenance any longer and now require payment of prevailing wage. Note: As part of this case, PennDOT manuals are not to be relied upon.

4. From the audience, Larry Wildasin asked about the future traffic light that is to be installed at Lehman Road and Route 116. He is recommending that the Township do an ordinance that will require any new traffic lights that are installed to include the software that will automatically change the lights for oncoming emergency vehicles. This is similar to the older Rata lights that the City used for many years. Larry will check how Jackson did theirs and Supervisor Crawford will check with Shrewsbury.

B. Engineer's Report

1. Mr. Hertz noted that H & H requested to withdraw its bid for placement of paving due to the fact that the bidder did not include prevailing wage into its bid estimate: the Engineer is recommending the bid be awarded to the next lowest bidder. **Motion** by Crawford, second by Rebert, to approve the withdrawal of the placement of paving bid by H & H General Excavating and to award the placement of paving bid to Stewart and Tate, the next low bidder, for \$33,907.06. All members voted aye; motion carried.

2. Mr. Hertz stated that KPI is continuing to work on the Township park walking trail extension. There is an issue with trying to make the walking trail ADA accessible. The slope is an issue. Supervisor Rebert raised issue with the trail having an extension beyond the tennis courts to the salt shed area. The Manager will point this out to the Rec Board and Engineer.

3. The Ambau Road construction bids still need to be reviewed, the site examined, and a definite plan put into place. Supervisor Luckenbaugh questioned whether the Township is going to wait for the Hazard Mitigation Grant for the Ambau Culvert. That is the intent - it is a wait and see process since we do not yet have the DEP permit. The County actually gets awarded the money, but it is coming from the State. If the culvert holds up, it is the intent to try to wait on the mitigation grant money. This would be about a \$75,000-\$100,000 savings. (The Engineer was allowed to leave at this point)

C. Solicitor's Report

1. **Motion** by Rebert, second by Crawford, to authorize Mr. Poole to prepare and advertise an ordinance to address the traffic studies for speed, stop signs, and parking on Patriot Street and Paine Boulevard in Colonial Crossings. All members voted aye; motion carried. Mr. Rebert feels that there will be some negative feedback that will surface regarding this ordinance. While he does not disagree with the action, he is questioning the approach of instituting it. Should we have a meeting with this area before we do it or just enact it? Every ordinance is advertised for a public hearing at which time the residents are welcome to speak. Mrs. Strausbaugh noted that the Police Department is eager to have this ordinance enacted, as the speed limit signs have been in place but are not enforceable as there is not yet an ordinance in place. Mrs. Crawford noted that once the residents become accustomed to the change, it will be very effective.

VIII. Old Business

A. **Motion** by Luckenbaugh, second by Rebert, to approve Change Order #2 to the Rescue/Pumper truck contract in the amount of \$2,602 retroactively. All members voted aye; motion carried.

B. Mr. Rebert reported that the Eichelberger Salvage Yard on Sunnyside Road is becoming a problem. There are 10-15 big trucks per day hauling cars in and out, along with many people parking on the road on weekends to purchase parts, etc., from the business. One day last week there was a garbage truck being brought in on a truck and the vehicle got stuck at the corner of Sunnyside and Stoverstown. It took about 10-15 minutes for them to negotiate the corner. If the ambulance had come through any sooner, they would have been unable to get through. The utility pole at that corner has been hit many times: one of these times the pole will come down on a house. It is becoming a traffic issue and something needs to be done, in Mr. Rebert's opinion. Mrs. Crawford has provided copies on junkyard ordinances that the Board members and staff need to review to determine which way to go. Supervisor Crawford questioned if Mrs. Strausbaugh has talked to Mr. Darrah, the current owner of the salvage yard. The Manager indicated that she has talked to Brian Sterner several times and noted that the owners of the junkyard have been compliant with whatever the Township requests. The Police have been contacted several times with regard to the parking and have been making an effort to monitor the parking. The Manager questioned if a new ordinance is enacted now, will this particular business be affected by the new regulations as it existed prior to the new ordinance? Solicitor Poole would like to take some time to look at this question. Chairman Rebert indicated that with new ownership, the usage of the junkyard has changed. It has gone from a somewhat laid back operation to an extremely busy one. Mr. Poole added that what the Manager was referring to is that the MPC has a provision that any land use ordinance cannot be applied retroactively to an existing use. Mrs. Crawford pointed out that DEP is becoming much more proactive with

the regulation of junkyards. If it is a health and safety issue, the business would have to become much more compliant. There have not been any complaints to that effect. Mr. Poole said that you can certainly pass an ordinance that applies to existing businesses with regard to operation, but the MPC says if it is a true land use ordinance, people are protected. Can the Township limit the activity of the business? Not if it financially adversely affects the business. You can draft an ordinance that would require inspections of the site. How about damages to the roadway? Some Townships within the State are starting to have some businesses bond the roadway for any damages they cause. Mr. Poole indicated that there is some recent case law on this issue. At the very least, there are some safety issues at play. The Board members will review and discuss the information.

C. **Motion** by Luckenbaugh, second by Crawford, to approve Resolution #07-05-2008, which affirms the submission of a Community Development Block Grant Project for the 2009-2011 grants. All members voted aye; motion carried.

IX. New Business

A. **Motion** by Luckenbaugh, second by Crawford, to approve the use of Fire Police on Sunday, June 29th from 8 a.m. to noon for the YWCA Bike Event at Days Mill and Markle Roads, and for the Jefferson Carnival from July 14th through July 19th. All members voted aye; motion carried.

B. It was noted that the roof on the cook shed at the Community Building is in poor repair; however, the estimates to repair it are about \$2800. The Stoverstown Athletic Association is the only one who is storing anything in that building, mainly the tractor the Township turned over to them to mow with. The building itself is in poor repair. Mr. Luckenbaugh feels the building should be taken down. Perhaps the Ball Club would be interested in making these repairs, since they use this facility. Mrs. Strausbaugh will present the idea to the Stoverstown AA and see if they want to replace the shed, repair the roof, or what.

C. Discussion was held on the property at 1775 Joseph Road, the Kayla and Phillip Hess property. Terry Stump did a one lot subdivision to take the house off of the farm for his niece, Kayla Hess. At that time, a waiver was granted to not have to hook this house up to public sewer until there was further development of the property surrounding it or failure of the current septic system. The Hess family is experiencing septic problems. In talking with the SEO about the problems, the leach lines may need unclogged or repaired. Mrs. Strausbaugh recommends allowing the homeowners to have the problem fixed if there is nothing more serious than this wrong with the septic system. The waiver was originally given due to the cost. There was an estimate of \$15,000 to hook this one house up to the public sewer. What constitutes a system failure?

Motion by Crawford, second by Rebert, to permit Kayla and Phillip Hess at 1775 Joseph Road to repair the existing system as long as there are no major problems such as a tank replacement or a new system required. All members voted aye; motion carried.

D. **Motion** by Crawford, second by Luckenbaugh, to authorize the advertisement for sale of the old fire equipment when the equipment becomes available. All members voted aye; motion carried.

E. **Motion** by Luckenbaugh, second by Rebert, to give the Township Manager or, in his/her absence, his/her designated agent, the authority to sign and approve the road opening permits. All members voted aye; motion carried.

F. **Motion** by Rebert, second by Luckenbaugh, to amend the Township Office hours for Mondays to be open 7:00 a.m. to 5:30 p.m., using staggered shifts with the hours and staff scheduled at the Township Manager's discretion. If a Monday falls on a holiday, the Monday hours will be shifted to Tuesday. All members voted aye; motion carried.

G. **Motion** by Rebert, second by Crawford, to approve the annual budgeted allocations for a total of \$20,050 as follows:

Glatfelter Memorial Library	\$3,200
SPCA of York County	\$1,100
Spring Grove Ambulance	\$3,000
Spring Grove Area Community Center	\$2,000
Tri-Community Ambulance	\$3,000
VNA	\$1,650
Windy Hill Senior Center	\$5,100
York County Quick Response Team	\$1,000

All members voted aye; motion carried.

X. **Announcements**

- A. There will be no Rec Board meeting this month.
- B. The Planning Commission will meet on May 27th @ 7 p.m.
- C. The Board of Supervisors will meet on June 17th @ 7 p.m.
- D. The SWRPD Board will meet on June 11th @ 7 p.m., at 6115 Thoman Drive.
- E. The Sewer Authority will meet on June 16th @ 7 p.m.

Motion by Crawford, second by Luckenbaugh, to adjourn. All members voted aye; motion carried. The meeting adjourned at 8:35 p.m.

Respectfully submitted,

Joy Ann Strausbaugh,
Secretary