

MANHEIM TOWNSHIP
5191 Wool Mill Road
Glennville, PA 17329

Minutes, Manheim Township Board of Supervisors Meeting
November 15, 2021

The Manheim Township Board of Supervisors, York County, PA met on Monday, November 15, 2021 to transact the regular monthly business.

The following were in attendance:

Larry Miller, Chairman
Nate Osborne, Vice Chairman
Rose Kirkpatrick, Supervisor

Township Staff:

Michelle Hershey, Secretary-Treasurer
Dennis Perks, Public Works Manager
John Elliott, Solicitor

Not Present:

Pete & Simon Schilling – Commonwealth Code Inspection Services

There were 6 people in the audience.

Chairman Miller called the meeting to order at 7:00 PM with the Pledge to the Flag.

Executive Session -

There was one executive session on 11/15/2021 at 6:00 PM to discuss budget items

Announcements –

None

Public Comment –

Resident Juan Diaz addressed the Board of Supervisors regarding traffic and excessive speeding as well as being harassed when out mowing his lawn on Blue Hill Road and Glennville Road. Mr. Diaz reported the speeding has gone up tremendously this year to the point where he has people that are getting violent. There are people driving by cursing at them to watch out. It's gotten to the point when they pull out of their driveway they are concerned someone is going to want to threaten them, which was the latest issue at their home. Mr. Diaz stated that two men thought it was okay to come to their house during the day and threaten them because they are Hispanic. Mr. Diaz stated it has gotten to the point that he had to purchase a very expensive security system so that he can prove to people that this is going on. Mr. Diaz reported that this past December there was a vehicle crash right in his driveway and the driver tried to pull away but couldn't. Chairman Miller asked if there is a certain time of day this is occurring? Mr. Diaz

reported early mornings. Mr. Diaz stated that two weeks ago four people crashed in front of his house and having that surveillance system has helped.

Chief Lash reported that they just did a recent speed study on Blue Hill Road and Glenville Road. Chief Lash stated that arrests were made on the 2 men who threatened Mr. Diaz at his home. Chief Lash stated that they are spread thin in Manheim Township. They receive a lot of complaints for speeding and only so much time to address them. Chief Lash stated that an aggressive driving detail was just done by Mr. Diaz's house and a lot of tickets were written. Chief Lash stated that it's just the matter of having the ability to consistently patrol the area. Supervisor Kirkpatrick asked Chief Lash what a solution or compromise would be to take care of the speeding areas. Chief Lash stated the township may want to consider adding additional hours to their 55-hour contract. Chief Lash reported that they sell hours in 5-hour blocks. Chief Lash stated that NYRPD was a cost savings for Manheim Township within the first two years of service. NYCRPD saved Manheim Township \$199,361.00 over what the township was paying Southwestern Regional Police. Chief Lash reported that just adding ten hours would still be a savings of \$52,000.00 over what the township was paying in 2019 for police services. Chief Lash provided stats for the aggressive driving detail in which 26 citations were given in a 3 ½ hour time period with 5 officers. The speeds of drivers ticketed ranged from 48 to 56 mph. Aggressive driving details are funded by PennDOT and are overtime details that don't affect weekly hours. Chairman Miller stated that right now they don't have a solution for Mr. Diaz's current situation, but the Board of Supervisors will definitely be talking about this. Vice Chairman Osborne stated that they truly sympathize with Mr. Diaz, that they do care. Vice Chairman Osborne asked if Mr. Diaz has any ideas on anything else that he would suggest that would help the situation. Mr. Diaz stated that he knows the police presence has changed significantly with the police departments changing and that has had a lot of effect on the situation. Mr. Diaz doesn't know what the solution is, but he does know with the officers being present on that day of the aggressive driving detail it did help. Mr. Diaz stated that when he first moved in there use to be delineators put up along the road and the word slow with the actual speed limit was painted on the road.

Public Works Manager Perks stated that he spoke with Brock Berwager with PennDOT and he is going to talk with the foreman in that department to see if the wording was there on the road and if it was they can put it back there again. Perks stated that it wouldn't happen this winter because they plan on doing a seal coat in that area again because of everything coming off and then they can look at putting the wording back on the road. Perks stated that PennDOT will not allow for a guardrail because his house is not at the very edge of the road and the bank is not steep enough to cause a roll over. Perks stated that Berwager stated that he would be able to put up delineators along the side of the road.

Resident Jane Siegal reported her concern about chickens running wild on Kitzmiller Rd and Smoketown Rd. Ms. Siegal stated that they have now put a fence up but there is no covering over the fence, so the chickens fly over the fence. Ms. Siegal wanted to address the board to see if anything can be done about this.

Consent Motion Package

Chairman Miller made a motion, seconded by Supervisor Kirkpatrick, to approve the consent motion package consisting of: Board Minutes of October 18, 2021, Tax Collector Report for October 2021, and reports from the following: Treasurer, Road Department.

Vote 3-0

A. Board Correspondence –

Supervisor Kirkpatrick reported that she received compliments on Dennis and Michelle. Supervisor Kirkpatrick stated the resident stated that it is nice to come into the municipal building to smiling faces and being taken care of professionally.

B. Solicitors Report –

Solicitor Elliot stated that he has nothing new to report. Solicitor Elliott stated two months ago the Blue Hill Rd situation was still outstanding and he didn't receive confirmation whether the enforcement notice was ever delivered successfully. Supervisor Kirkpatrick reported that Commonwealth Code did not hear back from the Magistrates office yet. Supervisor Kirkpatrick reported that a code enforcement violation for the weeds and a building code violation for the actual building was sent out. Both the registered and certified mail was returned back undeliverable. Commonwealth Code submitted to the Magistrates office hoping they would be able to locate the owners and if it came back, it would be turned over to Solicitor Elliott. Chairman Miller reported that the Magistrate was going to try and have the Constable go out and try to serve the owners if they could find a good address. Chairman Miller asked Solicitor Elliott what happens if it ends up going to him. Solicitor Elliott stated that there are services or private investigators to try and locate the owners. Solicitor Elliott stated that if the property is to the extent that it's a blighted, hazardous situation the township would have the ability to exercise eminent domain and take over the property. The township can wait to see if the property goes up for tax sale, a municipal lien can be put on the property, reduce the enforcement amount to a judgement to collect what's owed for expenses incurred. Solicitor Elliott stated that he will confirm what the options are to attempt to discern a current address for the owners of the property.

C. Committee Reports

1. Northern York County Regional Police Department –

Chief Lash reported that starting on January 4, 2022, they will have patrol officer's semi/permanently assigned to the substation. Chief Lash reported that he has heard that the District Magistrate for Manheim Township starting in 2022 will change to District Justice Sneeringer out of Penn Township. Chief Lash reported that on November 27, 2021, they are holding a Toys for Tots stuff a police car event from 10:00 am – 2:00 pm at the Thoman Dr. Station.

Vice Chairman Osborne asked Chief Lash if Manheim Township wanted to up the hours, is that a reasonable request or is that a hurdle. Chief Lash stated that he has time available for 2022. Vice Chairman Osborne asked if they would be able to pick up hours as needed and not contract hours. Chief Lash stated that is possible, but it would have to be on an overtime basis. Supervisor Kirkpatrick asked Chief Lash what his recommendation would be that would best serve the community with what he's experienced with complaints. Chief Lash recommended a

10% increase which would be somewhere between 10 and 15 hours. Chief Lash stated that if Manheim Township chooses to add time the cost would be \$288,318.15 for 65 hours.

2. EMA –
None

D. Subdivision –
None

E. Unfinished Business –
Memorial at MACP for Chairman Muir

Vice Chairman Osborne spoke with Kevin Dickmyer and stated that Dawn Muir is still looking for the right project for the donation money received in honor of Chairman Muir. This can remain tabled.

Ordinance Amendments

Vice Chairman Osborne is working on trying to get together a best recommendation to consider for the Ag entrance. From what he has been seeing it's all over the place. The state roads don't give any exemption for an Ag access to a state road. Township wise some do, some don't, some exclude anything related to agricultural, some have a maximum square footage allowance. Vice Chairman Osborne stated he's at a loss as to what an appropriate way to treat this. Chairman Miller asked if they have the ability to write their own because what he understood is that it was handed down from the state concerning what they could do, but now it is sounding like that is not the case with agriculture. Vice Chairman Osborne stated that it seems like different townships treat things differently. Chairman Miller thinks that they can come up with something reasonable as long as they have the authority to do so. Vice Chairman Osborne reported that a township close to Manheim Township has a model that has stood the test of time. Mr. Kolmer from Rettew's statement was, that the state has come into their office numerous occasions and didn't necessarily like what they had but was unable to make them change it. Vice Chairman Osborne stated that if you have a good argument it will stand up to scrutiny. Vice Chairman Osborne requested Secretary-Treasurer Hershey to contact the township to get a copy of their model ordinance.

ARPA Funds & Uses

Secretary-Treasurer Hershey reported that the Board of Supervisors was provided with a map as well as a link to access google earth that was provided by Comcast. Hershey stated that once the Board of Supervisors decide where and what they want to do we would send that to Comcast, and they would then send to their survey & design team to provide a cost. Vice Chairman Osborne stated that on this map there are homes in the orange that have chosen not to connect to Comcast. Hershey stated Comcast provided a homes passed list which are homes in the orange range that are connected, but looking at the map there are quite a few homes that are not addressed. Vice Chairman Osborne stated it's one thing if a resident chooses not to sign up for Comcast and it's another if someone can't even get access to it. Vice Chairman Osborne stated he's more concerned if they are using federal funding, shouldn't they be focused more on making it available to residents, not necessarily paying for it to be put into someone's home, but a resident has the option to get it. Hershey stated the list shows all serviceable addresses.

Chairman Miller stated that they use the funds to make sure the entire township can get access to Comcast and whether the residents want to pay the additional cost from the line to their home would be up to them.

Chairman Miller made a motion, seconded by Vice Chairman Osborne to authorize Secretary-Treasurer Hershey to contact Comcast and ask them to make access available to the entire township and provide a cost.

Vote 3-0

Record of Complaints Received for 4357 Blue Hill Rd.

Supervisor Kirkpatrick reported that the citation was sent over to the District Magistrate on September 27, 2021 and returned on October 13, 2021. The citation was refiled on October 13, 2021. Information should be received by next month's meeting. Supervisor Kirkpatrick stated that if nothing comes back, they can't locate the property owners, then this will be turned over to Solicitor Elliott. No action is needed at this time.

Mills Communication Quote for Repeater and New Radios

Public Works Manager Perks reported that he can drop two radios and that would be sufficient, bump up the handhelds so everyone has one. Perks requested two headsets so it can be used when up in the bucket truck. Total Cost would be \$11,717.00. Perks reported that Kenwood would have to do the mapping for the repeater and the cost would be \$500.00. Vice Chairman Osborne reported that as of this morning he was contacted by Moyer Radio who is working with a Hanover Group, which is Hanover Borough, Penn Township, they requested to reach out to West Manheim Township who is interested in exploring an option to create a Hanover area radio coverage. What would happen is all the separate repeaters that are currently owned would get linked together through the internet. Vice Chairman Osborne stated that if this whole idea comes together, it may make sense for Manheim Township to potentially join into that consortium, link their transmitter to West Manheim's and the school districts. Vice Chairman Osborne stated that a meeting will happen on Friday morning at 10:00 am and have Public Works Manager Perks attend. Vice Chairman Osborne stated he has yet to see the cost and a little bit concerned the net gain for the district versus what it will cost to participate. Chairman Miller stated that Manheim Township would have to purchase a repeater to have here. Vice Chairman Osborne stated that Manheim Township would have to purchase a repeater or potentially it opens up the viability of the township and the school district because the school district would like to have better coverage. It could come back that the school district and the township do a cost share on a repeater.

Chairman Miller made a motion, seconded by Supervisor Kirkpatrick to table the quote for radios until after the meeting and approve Public Works Manager Perks attend the meeting at Vice Chairman Osborne's office Friday morning at 10:00 am

Vote 3-0

Maintenance records for Backhoe

Public Works Manager Perks reported that Penn Township is unable to haul the backhoe into Maryland. Perks talked to North Codorus but would be too much of a liability. Perks stated that Jesco would charge \$550.00 round trip, service call would be \$344.00 round trip to come out her

to service it. If they are on site servicing the backhoe the cost is \$165.00 an hour compared to \$155.00 an hour at their shop. Perks stated that he reached out to Richards Towing in Hanover, and they charge \$155.00 per hour from the time they leave the shop. Vice Chairman Osborne suggested calling Ault Paving to see if they would be available to tow into Maryland.

Chairman Miller made a motion, seconded by Vice Chairman Osborne to table until next month's meeting.

Vote 3-0

F. New Business– 2022 Proposed Budget

Secretary-Treasurer reported that the 2022 draft proposed budget has been provided for review. Hershey reviewed the budget categories and pointed out the following items:

- Road Projects would be pipe replacement on 8 roads possibly more if time permits.
- Health insurance plan 2% increase, Dental, Vision, disability, life insurance no increase
- Road Department vehicle and equipment radios will need to be replaced in 2022
- Repeater purchase
- Electronic sign purchase
- Building maintenance of roof, siding, generator, air conditioning, moving tank, salt shed
- Repairs to equipment
- Recreation Park maintenance
- Northern York Regional Police cost \$245,119.00

Vice Chairman Osborne made a motion, seconded by Supervisor Kirkpatrick to increase police service from 55 hours to 65 hours which will increase the police budget to \$288,318.15.

Vote 3-0

Supervisor Kirkpatrick made a motion, seconded by Vice Chairman Osborne to adopt and advertise the proposed 2022 budget to lay open for the twenty-day public inspection.

Vote 3-0

Penn Waste Tipping Fee Increase as of January 1, 2022

Secretary-Treasurer Hershey reported that effective January 1, 2022, disposal rates at the York County Resource Recovery Facility are increasing \$2.50/ton. The York County Disposal Plan mandates that all municipal like waste be disposed of at the York Incinerator. As a result of this disposal increase, Penn Waste will need to increase its quarterly rate per home by .63 per quarter. The original rate for January 2022 was \$76.47 per quarter. The new quarterly rate for Manheim Township will be \$77.10 per quarter effective January 1, 2022. This figure was arrived at by using the township's 2020 tonnage figures for a total of 1020.07 tons. The Pay-per-bag rate option will not be increased.

PennDot Detour for Allison Mill Road Bridge Replacement

PennDot is preparing for a construction project on Allison Mill Rd to replace the state-owned bridge over Long Run. The project is located approximately 850 feet south of the intersection of Blooming Grove Rd. A detour will be required while the bridge is under construction.

Construction is anticipated to occur in the 2023 construction season.

The department is proposing to use Allison Mill Rd, St. Johns Rd and Dry Bridge Rd for the detour route.

Chairman Miller made a motion, seconded by Supervisor Kirkpatrick to approve the proposed Detour for the Allison Mill Rd. Bridge replacement.

Vote 3-0

Winter Help CDL & Non CDL

Public Works Manager Perks reported that he has two CDL drivers and after this year one of the CDL drivers will be retiring. Perks is asking for permission to be able to advertise for CDL & Non CDL drivers. Vice Chairman Osborne asked is there a pre-approved staffing level. Perks stated since he has worked for the township, they have always hired what they can get.

Vice Chairman Osborne made a motion, seconded by Supervisor Kirkpatrick to authorize Perks to advertise for CDL & Non CDL drivers on an ongoing basis to keep 3 seasonal operators on call.

Vote 3-0

Disposal of paver and riding mower

Public Works Manager Perks is asking what he is supposed to do with the paver and riding mower now that they are not going to be used. Chairman Miller asked if the paver is completely done. Perks stated that the whole right side is shot. Penn Township was able to use it to do some patches but as far as using it to pave a road it's not going to make it. Perks got quotes on renting a paver and the cost was between \$1,500.00 and \$2,000.00 for a week. Perks stated that he would like to go that route just because it's not used that much. Chairman Miller requested that Perks call J&K salvage to see if they would be interested in coming out and hauling the paver away. Perks stated that Kevin Dickmyer offered to take the mower off his hands and part it out. The engine is still good, it's just the rest of the mower. Chairman Miller requested to table the mower discussion until next month.

Purchase Requisitions

- 2 Grader Blades – Stephenson Equipment – \$395.88 – SF437
- Truck 3 Repairs – Truck Specialties - \$2,894.15 – SF437

Vice Chairman Miller made a motion, seconded by Supervisor Kirkpatrick to approve the purchase requisition as presented.

Vote 3-0

Training Notices:

PSATS Zoning Academy – December 7 – 9 Dennis Perks - \$249.00 for the academy - \$50.00 for CZO Exam. Zoning Academy located at PSATS Education Center, Enola, Pa.

Supervisor Kirkpatrick made a motion, seconded by Chairman Miller to approve Public Works Manager Perks to attend the PSATS Zoning Academy on December 7 – 9 at a cost of \$249.00 for the academy and \$50.00 for the exam.

Vote 3-0

Next Meeting – December 20, 2021 @7:00 pm

With no further business Chairman Miller adjourned the meeting at 9:40 pm.