

**MANHEIM TOWNSHIP**  
**5191 Wool Mill Road**  
**Glenville, PA 17329**

**Minutes, Manheim Township Board of Supervisors Meeting**  
**January 3, 2022**

The Manheim Township Board of Supervisors, York County, PA met on Monday, January 3, 2022 to reorganize for 2022 and transact the regular monthly business.

The following were in attendance:

Nate Osborne  
Rose Kirkpatrick

Township Staff:

Michelle Hershey, Administrator-Secretary-Treasurer  
Dennis Perks, Public Works Manager

Not present:

Larry Miller  
John Elliott, Solicitor

There was 1 person in the audience.

Supervisor Osborne called the meeting to order at 7:02 PM with the Pledge to the Flag.

**Reorganization Meeting-**

Supervisor Osborne made a motion, seconded by Supervisor Kirkpatrick to elect Administrator Hershey as the temporary Chairman.

**Vote 2-0**

Supervisor Kirkpatrick made a motion, seconded by Supervisor Osborne, to elect Larry Miller as Chairman of the Board.

**Vote 2-0**

Chairman Kirkpatrick made a motion, seconded by Supervisor Osborne, to elect Nathan Osborne as the Vice Chairman of the Board.

**Vote 2-0**

Vice Chairman Osborne made a motion, seconded by Supervisor Kirkpatrick, to appoint Michelle Hershey as Administrator/Secretary/Treasurer.

**Vote 2-0**

Vice Chairman Osborne made a motion, seconded by Supervisor Kirkpatrick, to set amount of Treasurer's Bond at \$550,000.00.

**Vote 2-0**

Vice Chairman Osborne made a motion, seconded by Supervisor Kirkpatrick, to establish monthly meeting location, time, and date for the Board of Supervisors meetings to be held the third Monday of the month at 7:00 PM. Secondary monthly meetings will be held the following Monday at 7:00 PM as needed, at the municipal building.

**Vote 2-0**

Vice Chairman Osborne made a motion, seconded by Supervisor Kirkpatrick, to advertise monthly meeting location, time, and date for the Board of Supervisors - third Monday of the month at 7:00 PM; Planning Commission-first Thursday of month at 7:00 PM; Zoning Hearing Board – 3<sup>rd</sup> Tuesday of the month at 7:30 PM and authorize advertising recurring monthly Municipal Agency meetings. All meetings will be held at the municipal building.

**Vote 2-0**

Vice Chairman Osborne made a motion, seconded by Supervisor Kirkpatrick, to appoint Ream, Carr, Markey & Woloshin, LLP, and Attorney John Elliot as Solicitor for Board of Supervisors.

**Vote 2-0**

Vice Chairman Osborne made a motion, seconded by Supervisor Kirkpatrick, to appoint PLGIT and Peoples Bank as the Banking Institutions for Cash Management & Investment Services for 2022.

**Vote 2-0**

Vice Chairman Osborne made a motion, seconded by Supervisor Kirkpatrick, to appoint York-Adams Tax Bureau under York Tax Collection Committee for Earned Income Tax collections for 2022.

**Vote 2-0**

Supervisor Kirkpatrick made a motion, seconded by Vice Chairman Osborne, to appoint Adams County National Bank as the Banking Institution for Tax Collections.

**Vote 2-0**

Supervisor Kirkpatrick made a motion, seconded by Vice Chairman Osborne, to appoint Vice Chairman Osborne as Delegate to the York County EIT Tax collection Committee (TCC).

**Vote 2-0**

Supervisor Kirkpatrick made a motion, seconded by Vice Chairman Osborne, to appoint Chairman Miller as Alternate Delegate to the York County EIT Tax collection Committee (TCC).

**Vote 2-0**

Supervisor Kirkpatrick made a motion, seconded by Vice Chairman Osborne, to appoint Jeff Mummert of SWSD as Manheim's YATB Director.

**Vote 2-0**

Supervisor Kirkpatrick made a motion, seconded by Vice Chairman Osborne, to appoint Chairman Miller as the alternate YATB Director.

**Vote 2-0**

Supervisor Kirkpatrick made a motion, seconded by Vice Chairman Osborne, to set Township Employees' percentage rate of contribution to non-uniform employees' pension fund at 3%.

**Vote 2-0**

Supervisor Kirkpatrick made a motion, seconded by Vice Chairman Osborne, to appoint the Treasurer as Chief Administrative Officer for employee pension.

**Vote 2-0**

Supervisor Kirkpatrick made a motion, seconded by Vice Chairman Osborne, to appoint Rettew as Township Engineer.

**Vote 2-0**

Supervisor Kirkpatrick made a motion, seconded by Vice Chairman Osborne, to appoint Patrick Buhl as the S.E.O Officer and Douglas Stambaugh as the alternate Sewage Enforcement Officer for 2022.

**Vote 2-0**

Supervisor Kirkpatrick made a motion, seconded by Vice Chairman Osborne, to appoint Ronald Orndorff as a Zoning Hearing Board member with term expiration of December 31, 2024.

**Vote 2-0**

Supervisor Kirkpatrick made a motion, seconded by Vice Chairman Osborne, to set the pay rate for seated Zoning Hearing Board members at \$40.00 per case.

**Vote 2-0**

Supervisor Kirkpatrick made a motion, seconded by Vice Chairman Osborne, to appoint Charles Rausch as the Zoning Hearing Board Solicitor.

**Vote 2-0**

Supervisor Kirkpatrick made a motion, seconded by Vice Chairman Osborne, to appoint Larry Miller as the LGAC Representative and Nathan Osborne as the alternate LGAC Representative.

**Vote 2-0**

Supervisor Kirkpatrick made a motion, seconded by Vice Chairman Osborne, to appoint Vice Chairman Osborne as the voting delegate to PSATS Convention.

**Vote 2-0**

Supervisor Kirkpatrick made a motion, seconded by Vice Chairman Osborne to appoint Larry Miller as the Non-Voting Supervisor Representative and Nathan Osborne as the Alternate for Northern York County Regional Police Service.

**Vote 2-0**

Supervisor Kirkpatrick made a motion, seconded by Vice Chairman Osborne, to appoint Rose Kirkpatrick as the Chairman of Ag. Security Board.

**Vote 2-0**

Supervisor Kirkpatrick made a motion, seconded by Vice Chairman Osborne, to appoint Supervisor Kirkpatrick as the Representative to the South Western School District Liaison meetings.

**Vote 2-0**

Supervisor Kirkpatrick made a motion, seconded by Vice Chairman Osborne, to appoint Rose Kirkpatrick as the Representative to the South Western Recreation Commission.

**Vote 2-0**

Static Reminder - CVCOG (Building Codes) Supervisor Representative, with term expiring December 31, 2023 – Larry Miller

Vice Chairman Osborne Adjourned Reorganization Meeting at 7:15 PM.

Vice Chairman Osborne convened the regular business meeting at 7:15 PM.

**Public Comment –**

None

**Consent Motion Package**

Vice Chairman Osborne made a motion, seconded by Supervisor Kirkpatrick, to approve the consent motion package consisting of: Board Minutes of December 20, 2021, and reports from the following: Treasurer, December NYCRPD Activity report.

**Vote 2-0**

**A. Board Correspondence –**

None

**B. Solicitors Report –**

None

**C. Committee Reports**

**1. Northern York County Regional Police Department –**

None

**2. EMA –**

None

#### **D. Subdivision –**

##### **Jesse Main – 1 Lot Subdivision & MR Application**

This application was submitted on December 21, 2021. It is recommended that this application be accepted for review and consideration. Upon favorable action, the 90-day review period will expire on March 21, 2022.

Vice Chairman Osborne made a motion, seconded by Supervisor Kirkpatrick to accept the Jesse Main/Roger Main – 1 Lot Subdivision & MR Applications for review and consideration.

**Vote 2-0**

#### **E. Unfinished Business –**

##### **Memorial at MACP for Chairman Muir**

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 a list of items that the Board of Supervisors would want to explore on the stormwater management end and provide to the municipal engineer for review. This can remain tabled.

#### **ARPA Funds & Uses**

Secretary-Treasurer Hershey reported that the mapping was provided to Comcast. Waiting to hear back from their construction team to get estimates for extending service to those areas requested. This can remain tabled

#### **Record of Complaints Received for 4357 Blue Hill Rd.**

Supervisor Kirkpatrick reported that the District Magistrate sent out certified and registered mail to the owners. The certified mail is being rejected. Supervisor Kirkpatrick stated that she was told that the District Magistrate is going to issue a warrant for arrest. Supervisor Kirkpatrick stated that when that is done, the problem is that you must wait for a speeding ticket, or some sort of small infraction so that the individual that the letter was sent to gets stopped or picked up for something and there is the warrant. That could take quite a long time. Supervisor Kirkpatrick stated that a suggestion came back to go to our Solicitor on what to do next. Supervisor Kirkpatrick asked what the process would be if they decided to condemn the building. If that is the route, they take then the District Magistrate would withdraw the warrant. Solicitor Elliott stated that there are multiple ways they could proceed depending on what they mean by condemning. They could do an eminent domain proceeding to take ownership of a property. They could theoretically under a nuisance ordinance put a lien on the property or go after the money damages. Supervisor Kirkpatrick stated that her concern is that they can't even get these people to get their mail. Solicitor Elliott stated realistically either of those proceedings would be through the Court of Common Pleas and the township would have to retain a process server in Maryland to try and track them down to get notice. Solicitor Elliott stated that blighted property gives a legal basis to exercise eminent domain to take title of a property. The other possibility would be a nuisance enforcement action where the owner fails to correct the nuisance under the ordinances. The township can use their own employees or hire someone to raze the property or make whatever repairs necessary so that it is not a danger. The

charges incurred would become a municipal lien and if the township doesn't want to wait around for that property to eventually be sold there would be the ability to get that reduced to a money judgement. Vice Chairman Osborne asked what the most expedient way is to approach this house. How long and drawn out is it to get it taken by eminent domain on a health and safety standard vs the township going in and saying it's a nuisance property and we are going to board the windows and doors shut. What is the dollar impact in pursuing eminent domain? Solicitor Elliott stated that if you take a property by eminent domain, they have to provide fair compensation. The first step would be to find someone who can track down the defendant and serve them personally. Solicitor Elliott stated that they may be able to deputize the sheriff in the county that they live in for the state of Maryland to provide service. Solicitor Elliott stated that an attempt has to be made to get personal service on the owners, given they are refusing to pick up the certified mail. If that doesn't work he can ask the court for service by alternative means if it appears that they know about this because they have received regular mail that hasn't been returned, but they are trying to avoid service. Solicitor Elliott can get an order from the court in the alternative. Vice Chairman Osborne asked Solicitor Elliott if he had any type of estimate on legal fees to go forward with eminent domain. Solicitor Elliott stated that attorney fees wouldn't be more than a few thousand dollars. The larger cost will be the compensation for the taking of the property. Solicitor Elliott stated that there is a process for the defendant to challenge the compensation of the property. Supervisor Kirkpatrick stated that we need to find a way to get in contact with the property owners. Solicitor Elliott stated that the Board needs to decide what legal action they want to take prior to trying to serve the property owners. Solicitor Elliott stated that he will check with his connection at the law firm for process servers to notify the property owners of ordinance violations on the property.

Supervisor Kirkpatrick reported that there have been no updates since the December 20, 2021, meeting.

Vice Chairman Osborne Made a motion, seconded by Supervisor Kirkpatrick to table the Record of Complaints Received for 4357 Blue Hill Rd. until the February Board of Supervisors meeting.  
**Vote 2-0**

### **Mills Communication Quote for Repeater and New Radios**

Vice Chairman Osborne stated that a Hanover Group, which is Hanover Borough, Penn Township, West Manheim Township are 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. Vice Chairman Osborne stated he has yet to see the cost and is unsure of the time frame. Vice Chairman Osborne stated that Public Works Manager Perks should reach out the B. Moyer to discuss what the best radio options are to see what would work with the repeaters.

Vice Chairman Osborne reported that there have been no updates since the December 20, 2021, meeting.

Vice Chairman Osborne Made a motion, seconded by Supervisor Kirkpatrick to table the Mills Communication Quote for Repeater and New Radios until the February Board of Supervisors meeting.

**Vote 2-0**

**F. New Business–**

**Resolution 555 – 2022 Tax Structure**

Vice Chairman Osborne made a motion, seconded by Supervisor Kirkpatrick to adopt Resolution 555 – 2022 Tax Structure as presented.

**Vote 2-0**

**Resolution 556 – 2022 Fee Schedule**

Vice Chairman Osborne made a motion, seconded by Supervisor Kirkpatrick to adopt Resolution 556 – 2022 Fee Schedule as presented.

**Vote 2-0**

**Schedule Interview date and time for Planning Commission Applicants**

After a brief discussion, interviews will be held on Monday, January 17, 2022.

**Property on Manheim Road Stormwater Management**

Vice Chairman Osborne provided information on the stormwater management plans that were submitted by the contractor who applied for the zoning and construction permits on a new home. After a brief discussion Vice Chairman Osborne will contact Simon Schilling to discuss the plans that were submitted compared to what was done and approved and try to go out to the sight for verification that all requirements are being met.

**Purchase Requisitions**

None

**Training Notices:**

None

Next Meeting – February 21, 2022 @7:00 pm

With no further business Vice Chairman Osborne adjourned the meeting to executive session at 7:40 pm.