

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

**Minutes, Manheim Township Board of Supervisors Meeting**  
**April 17, 2023**

The Manheim Township Board of Supervisors, York County, PA met on Monday, April 17, 2023 to transact the regular monthly business.

The following were in attendance:

Larry Miller  
Nate Osborne  
Rose Kirkpatrick

Township Staff:

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

There were 13 people in the audience.

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

**Executive Session -**

None

**Announcements –**

York County Board Commissioners issued a county wide 30 day burn ban that took effect on April 16, 2023.

**Public Comment –**

Resident Chad Yingst addressed the Board of Supervisors regarding an experience he had with a pool permit. Mr. Yingst reported that he purchased an 18ft pool for under \$500.00. Mr. Yingst stated that they attempted to get a permit and the cost was \$360.00 and stated that what he got with that permit was having to deal with Simon Schilling. Mr. Yingst stated that Simon was going to go to the house and needed to see the instruction manual and if the manual said no sand for under the pool, then he couldn't have sand and it would fail. Mr. Yingst stated he doesn't understand how he can be told that as it's not going to impact anyone's home for flooding and it's a suggestion, not a requirement. Mr. Yingst stated that he was told that he needed to put permanent electric in for the pool and Mr. Yingst stated that he doesn't know if the pool will be there in a year and why would he want that post sticking out of his yard if there is no pool. Mr. Yingst wants to know why we participate in this nanny state permitting, we don't have to, Manheim Township doesn't have to enforce pool permitting for something like this. Mr. Yingst stated that this is an absolutely absurd permitting and inspection process and that he's not going to do it. Mr. Yingst stated that as a township, the board should consider contracting a different

agency if everyone thinks the inspector is horrible. Chairman Miller stated as far as the permitting process goes that is everywhere and yes Manheim Township does have to participate in the permitting of swimming pools. Chairman Miller stated that several years ago FEMA sent out to the states that if relief money is wanted in the event of a disaster, they must enact BOCA codes. The states sent down the same thing to municipalities that they must enact BOCA codes if they want to be able to receive relief money. Mr. Yingst stated that he understands it's a state law and he's just saying that there are other state laws that we choose not to enforce, there are other state laws that we choose not to participate in, and this is one that he suggests that we don't participate in. Chairman Miller asked Mr. Yingst that he doesn't want to install electric permanently and he just wants to run an extension cord. Mr. Yingst stated yes to a GFSI outlet. Chairman Miller stated that he isn't hooking up the way it's supposed to be hooked up and what happens if someone's kid gets electrocuted. Mr. Yingst stated that he has liability insurance and it's none of the township's business what risks he takes of his own accord. Pete Schilling stated that Pennsylvania is one of the last states in the US to adopt a building code and whether or not Manheim Township chooses to enforce it or not, it will still be enforced. If Manheim Township chooses not to enforce it the Department of Labor and Industry becomes the jurisdiction. Pete stated there are a number of safety issues with pools and the building code puts in a number of safety factors. If you don't care if your kids drown but provisions are put in, so somebody's neighbor's kids don't drown. It's the same thing with the electrical, the National Fire Protection Association has done studies for about 100 years on fire and electrocutions to come up with certain safety rules, such as not letting extension cords across your lawn to keep people from getting electrocuted. Pete stated that's the law in Pennsylvania that they follow, and exceptions can't be made for a \$500.00 or \$20,000.00 pool. Pete stated that they have to look at the setup manual and see what it actually requires. Pete stated we don't write the laws; they just enforce them. Mr. Yingst stated that his recommendations still stand. Chairman Miller asked what those are. Mr. Yingst stated we consider alternatives to Commonwealth Code Inspection Services for inspections and Manheim Township ignores the Pennsylvania code when it comes to pools that are considered a giant kiddie pool. Chairman Miller stated that it's noted.

### **Consent Motion Package**

Chairman Miller made a motion, seconded by Supervisor Osborne, to approve the consent motion package consisting of: Board Minutes of March 20, 2023, Tax Collector Reports for March 2023, Planning Commission Minutes for April 6, 2023 (draft) and reports from the following: Road Department (March 2023), Zoning Reports (March 2023), and NYCRPD Activity reports (March 2023).

### **Vote 3-0**

#### **A. Board Correspondence –**

Vice Chairman Kirkpatrick reported that the road crew was recognized for their great work helping with the electronic sign project that is being placed at Manheim Elementary School.

#### **B. Solicitors Report –**

##### **1. CVCOG withdrawal –**

Chairman Miller asked if the CVCOG is necessary anymore due to the fact that there is a York County Appeals Board. Is this something that should be dissolved and removed from the books. Chairman Miller stated that we would need to talk to Codorus Township, Heidelberg Township,

Jackson Township. Solicitor Elliott stated that if there is a better alternative than the CVCOG then that is certainly something that can be explored. If Manheim Township wants to withdraw, we are committed for the remainder of the year, at least financially if there are any dues or responsibilities. Written notice is required if Manheim Township wants to withdraw no later than September 15, 2023, and then pass an ordinance to that effect no later than December 31, 2023. Chairman Miller requested that Administrator Hershey reach out to each municipality to see where they stand with continuing on CVCOG.

## **2. Blue Hill Rd. Property**

Solitor Elliott reported that he sent an email to Mr. Kroft but did not hear back from him as of today. Solicitor Elliott stated that he forwarded Mr. Kroft's email and phone number to Administrator Hershey so that she is able to communicate with him regarding the status of the property.

## **C. Committee Reports**

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

Lieutenant Migatalski reported that over the last 15 months total grant funding received by NYCRPD is \$6,487,151.00 which covers the cell tower project and substation project. NYCRPD is currently working with engineers and consultants on the placement of towers and where they can benefit the most. The building project for the new police station low bid financing is through S&T Bank. There is one Community Liaison Co Responder applicant going through the interview process. There are 3 police candidates at the Harrisburg Area Community College in the ACT 120 program and will graduate around June 1<sup>st</sup>. The promotional process and the final eligibility list for Corporal has been established and Officer Gage Baumgardner and Officer Brian Chance will be promoted to Corporal affective June 3<sup>rd</sup>.

### **2. EMA –**

None

## **D. Subdivision –**

### **Dan & Brenda Shue 1 Lot Subdivision and Harold & Melissa Smith 1 Lot Add-on**

This application was submitted on January 30, 2023. The review period will expire on April 17, 2023.

It is recommended to conditionally approve the add-on lot with the following recommendations:

1. The agricultural Security Area Status needs to be addressed to remove the 3 acres.
2. Two concrete monuments should be placed at the two new survey points. The existing survey points do not require modification.

Chairman Miller made a motion, seconded by Supervisor Osborne to conditionally approve the Dan & Brenda Shue 1 Lot Subdivision and Harold & Melissa Smith 1 Lot Add-on as presented.

**Vote 3-0**

### **E. Unfinished Business – Ordinance Amendments**

The Board of Supervisors would like more time to review the information regarding the Ordinance Amendments.

- A) Agricultural
- B) Timber Harvest
- C) Junk
- D) Police Citations for Zoning Violations
- E) Shooting Range

Ordinance amendments to remain tabled.

### **Violation Notice Blooming Grove Rd.**

The case is being refiled with the new District Justice, Judge Sneeringer. The building permit application was submitted by Mrs. Hensel for the front porch construction.

### **Brodbeck Road Violation**

Public Works Manager Perks reported that he and Simon Schilling met with Mr. Walker on April 11<sup>th</sup>. There was reasonable progress made on the mobile home pile. One trailer was loaded with junk to be removed and a vehicle was up on a trailer for repairs. The backhoe was removed from the property. Next scheduled meeting will be on May 9<sup>th</sup>.

### **Road Department Radios and Repeater**

Northern York County Regional Police will now be getting a cell tower at their substation in Spring Grove and would like to hold off on purchasing any radios until they can see how this will affect Manheim Township. Remain Tabled.

### **F. New Business–**

#### **South Western School District Summer Rec Program**

Vice Chairman Kirkpatrick reported that at the February Rec Commission meeting it was discussed that in order to operate the summer program a nurse must be present. It was determined that they will need to provide onsite nursing services anytime students are present at the summer program. Also, if they have a student or students who require the assistance of a 1-to-1 aide, they will need to hire that person and make those accommodations as well. It was recommended that they operate the summer rec program, using the same format as last year, as long as they are able to hire nurses to provide coverage. There is enough funding for 2023 but they are uncertain about continuing the program in 2024. The Commission would need to go to the School Board and the Township commissioners to see if they would be willing to pay more money for the program.

#### **New Air Conditioning Units**

Public Works Manager Perks provided quotes to the Board of Supervisors for new air conditioning units. After a brief discussion the Board of Supervisors requested Public Works Manager Perks to get quotes for HVAC unit. Discussion is tabled until next month's meeting when HVAC quotes will be provided.

### **Public Works Manager – Zoning Officer**

Chairman Miller stated that after several complaints reported about the current Zoning Officer the board would like to promote Public Works Manager Perks as the official full time Zoning Officer and continue on as the Public Works Manager. Chairman Miller made a request to Pete Schilling that the Board would like to replace Simon Schilling as the BCO inspector as well. Pete Schilling stated that he can replace Simon with Don Gerhart. A special meeting will be held on Monday, April 24, 2023, to approve the stated changes and adopt a revised fee schedule resolution.

### **G. Purchase Requisitions:**

1. Road Dept. Round up Quick Pro SC – Arbor Chem - \$1,425.00 SF
2. Road Dept. Side by Side Bobcat Rental- Finch Rental - \$1,000.00 SF

Chairman Miller made a motion, seconded by Supervisor Osborne to approve the purchase requisitions as presented.

**Vote 3-0**

### **H. Training Notices:**

None

Next Meeting – May 15, 2023, 2023 @7:00 pm

With no further business Chairman Miller adjourned the meeting at 8:15 pm