

MANHEIM TOWNSHIP
5191 Wool Mill Road
Glennville, PA 17329

Minutes, Manheim Township Board of Supervisors Meeting
November 18, 2019

The Manheim Township Board of Supervisors, York County, PA met on Monday, November 18, 2019 to transact the regular monthly business.

The following were in attendance:

Matt Muir, Chairman

Larry Miller, Vice Chairman

Burnell Doll, Supervisor

Township Staff:

Loren Riebling, Township Manager

Michelle Hershey, Secretary-Treasurer

Gerald Shue, Road Foreman

John Elliott, Solicitor

There were 5 persons in the audience

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

Public Comment –

None

Consent Motion Package

Vice Chairman Miller made a motion, seconded by Supervisor Doll, to approve the consent motion package consisting of: minutes October 21, 2019 & November 11, 2019, Tax Collector Report October 2019, Planning Commission minutes November 7, 2019 (draft) and reports from the following: Manager, Zoning, Treasurer, Road Department, SEO (October), SWRPD – Approved Minutes/Reports & Monthly Statistics (10/2019).

Vote 3-0

A. Solicitor Report –

Chairman Muir reported that a couple things came up from the latest Police Board meeting that they need to vote on tonight as a board; authorizing the termination of police service with SWRPD for December 31, 2019 and the public hearing to adopt an ordinance to have the dissolution of the police department that was advertised for and that can be approved tonight. Chairman Muir stated that the only question that came up, which they were instructed to go to the township solicitor is the handling of any discrepancies or bills going forward with North Codorus Township. Chairman Muir stated that as this unwinds and goes through the process, they don't know the actual completed cost of doing all this. There will be expenses such as

pension payouts and with North Codorus technically being out as of December 31, 2019 and the remainder of the decisions will be made by the 3 remaining municipalities which means North Codorus will not be part of the decision making process going forward. Chairman Miller was giving the impression that the representatives at the Police Board meeting from North Codorus intend on paying their fair share going forward. Chairman Muir asked Solicitor Elliott is there a course of action if we have to play hardball with North Codorus. Solicitor Elliott stated that is difficult to answer until they know what any actual costs will be. Solicitor Elliott stated that it would be better putting efforts toward resolving this out of court if all possible. Vice Chairman Miller asked if there is anyway that Solicitor Elliott can prepare or look into some sort of idea moving forward as things come up. Solicitor Elliott stated that the dissolution process set forth in the articles of agreement and the amendments that have been passed over the years and being familiar with that process to the extent that someone is trying to deviate from that and we can be prepared for that and negotiate on those terms and be ready to litigate if necessary. Chairman Miller stated that the biggest problem that he has seen is the differences in opinions of what the articles of agreement actually say, how to determine what they are actually saying. Solicitor Elliott stated that there are parts in the articles of agreement that are susceptible to multiple interpretations and even if we think it's clear and someone else refuses to go along with that interpretation ultimately that is what a court would decide is the interpretation of the contract if there is a disagreement and the parties can't work it out and agree on the language. Chairman Muir stated that there is an impact bargaining process that they will have to go through, and the concern is, will it only be the 3 remaining municipalities that are going to have to pay for this or is North Codorus still responsible for their share. Solicitor Elliott stated that if you are going back to this as the 4 municipalities dissolving, then yes, they have to participate in that. Township Manager Riebling stated that with the impact bargaining is that's where the 3 remaining municipal members can either help or hurt themselves by working together with the association and if you don't work with the association the impact bargaining can be more challenging. Chairman Muir stated that part of the issue is that the representation for the association thought they were entitled to all the remaining dollars in the contract. Chairman Muir stated that Solicitor Tilly stated no there is no precedent for that, that's not how this works. Chairman Muir stated that he doesn't know what the middle looks like. Officer in Charge Stalcup stated that he thinks the association is eager for conversation.

Solicitor Elliott reported that the attorney for Northern York County Regional Police provided draft documents that they are proposing for an ordinance which would authorize Manheim Township to enter into a contract with Northern Regional and a draft of an agreement for police services as well as a resolution that would authorize Northern Regional to enforce Manheim Townships code of ordinances. Solicitor Elliott reported that this would need to be done before the end of the year so this ordinance would need to be advertised to be adopted at next months meeting in December.

Vice Chairman Miller made a motion seconded by Supervisor Doll to authorize Solicitor Elliott to advertise the proposed Ordinance 2019-03 for consideration of adoption at the December 16, 2019 meeting.

Vote 3-0

Solicitor Elliott reported that as of last week Attorney Crabs indicated that he was going to advise Mr. Mason to accept the settlement offer. Solicitor Elliott has not heard official confirmation yet. It's coming up on a couple of days of the 30-day requirement and not feeling optimistic that Mr. Mason is going to follow through. Will probably need to move forward to get a conference to get a hearing set.

B. Committee Reports –

1. Southwestern Regional Police Department –

Next SWRPB meeting December 11, 2019 at 7:00 pm at 6115 Thoman Road.

Officer in Charge Stalcup reported that there were 52 calls for service, 7 tickets, 7 written warnings and 1 arrest charge in Manheim Township in October 2019.

2. EMA –

None

3. Rec. Board –

Next meeting on December 11, 2019 at 7:00 pm.

C. Subdivision –

Fred & Doris Dickmyer – Minor Subdivision & Add-on Plan & MR Application

This application was accepted for review and consideration on October 21, 2019. The 90 day review period will expire January 19, 2020.

This plan has been reviewed by York County Planning Commission. It is currently being reviewed by our engineer. The Manheim Township Planning Commission will review this plan on December 5, 2019.

This application can remain tabled until all required reviews have been completed.

New Applications –

None

D. Unfinished Business –

Recreation Board Bylaw Amendment

Remain Tabled

E. New Business–

Ordinance 2019-01 – Dissolution of SWRPD

Chairman Muir opened for public hearing at 7:18 pm. No public comment closed hearing at 7:19 pm.

Chairman Muir made a motion, seconded by Vice Chairman Miller to adopt Ordinance 2019-01 – Dissolution of SWRPD.

Vote 3-0

Chairman Muir stated that a vote needs to be made by the Board of Supervisors to terminate service with SWRPD on 12/31/19.

Chairman Muir made a motion, seconded by Vice Chairman Miller to approve the termination of service date of 12/31/19 with SWRPD.

Vote 3-0

Ordinance 2019-02 – Repealing Act 511 Taxes

Chairman Muir opened for public hearing at 7:21 pm. No public comment closed hearing at 7:22 pm.

Chairman Muir made a motion, seconded by Vice Chairman Miller to adopt Ordinance 2019-02 – Repealing Act 511 Taxes.

Vote 3-0

Paver Repair Discussion

Riebling reported that the paver that the township owns and works with Penn Township on and they store at their building are having some problems with the rear drive system. There is a certain cost just to open it up to see what the problem is and a much bigger initial cost to fix whatever the problem may be. Riebling reported that there have been discussions with Penn Township due to their heavy use this year and our lack of any use this year that they are willing to pay for all of it but Manheim Township has put some where on the machine too and should share in the cost of the repairs. Requesting to take the paver up to Highway Equipment and have the hydraulic oil drained and inspect tanks and then replace the oil, filters and labor the cost would be \$2,260.00. The planetary drive, clutch packs and seals the total cost of parts if rebuildable will be \$3,254.00 and to remove, rebuild and install drive roughly \$6048.00 with a total cost of approximately \$12,000.00 in which Manheim Township would pay half. Vice Chairman Miller stated that it's the time of year that the paver is not going to be used so we can take time to look at it and spend the \$1,000.00 to have it looked at and see what they come up with and what they think and then next month discuss options.

2020 Wage Consideration

Table discussion until the 11/25/19 meeting

2020 Draft Budget

Riebling reported that the 2020 rough draft budget has been provided for review. However, a second monthly meeting will most likely be necessary to finalize the 2020 budget for advertising and adoption. Riebling stated that there are some outstanding items needed to produce the final proposed budget. The amount of funding for closing out SWRPD, written proposal from NYRPD indicating the terms of service and payment schedule. Riebling reported there is a 10% increase in insurance rates, need to discuss annual wage increases, discuss prioritizing and/or deferring certain expenses and projects based on available funding. Will need to discuss the grant submission for Simpson Road. Bucket truck purchase on hold as unable to find one at our cost and specifications.

Purchase Requisitions

Road Department – 2 front tires and tubes for backhoe; Scotty's Tire, \$822.18 – Budgeted \$1,500.00 for this item from SF 437.

Chairman Muir made a motion, seconded by Supervisor Doll to approve the purchase of 2 front tires and tubes for backhoe; Scotty's Tire, \$822.18.

Vote 3-0

Training Notices

None

Chairman Muir stated that he received an email for Chief Damon of York Area Regional Police and that they are interested in purchasing equipment. Police Board would determine cost of items being sold but unknown at this time. Officer in Charge Stalcup stated that Atlantic Tactical provides appraisals for police equipment.

Executive Session – November 18, 2019 @ 6:00 pm

Budget Meeting – November 18, 2019 @ 7:00 pm

Next Meeting – December 16, 2019 @ 7:00 pm

With no further business Chairman Muir adjourned the meeting at 8:08 pm.