

1. Call to Order

The June Board of Supervisors' meeting for Heidelberg Township was held on Thursday, June 20, 2024, at Heidelberg Township Municipal Building. The meeting was called to order at 11:58am by Chairman Tim Hansen. Those present:

Tim Hansen, Chairman	Barbara Krebs, Manager
Matt Bollinger, Vice Chairman	Judy Mustard, Secretary
Paul King, Supervisor	Tim Shultis, Solicitor

Approximately 24 residents/members of the general public were present.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Acknowledgment of a quorum

Chairman Hansen acknowledged the declaration of a quorum.

4. Public Comment

Peg Moulton, Laurel Woods Lane, gave an update on the Hanover Trolley Trail development. She also thanked Meg Powell for her work on the newsletter which included great pictures of the work on the trail.

Meg Powell, Porters Road, questioned the executive session listed on the agenda that stated, "legal issues", and she requested that we make the Bills Paid Report available on the website and that they be given in draft form to be voted on. She questioned how the legal work is being authorized and asked about the proposed Resolutions on the agenda. Chairman Hansen replied that we would not be having an executive session. Solicitor Shultis then explained that some amount of specificity is required but because other matters typically come up in executive session, it can be announced after the executive session. Supervisor King then stated that since it was on the agenda he had a legal matter that he wanted to bring up in the executive session. Chairman Hansen then addressed the resolution question. He stated that Resolutions can be started/discussed in meetings, or between managers and supervisors, or supervisors and employees individually. They do not need to be discussed prior but he wants the community to have time to offer input and discuss before voting on them. Supervisor King questioned why they are on the agenda if we are not acting today. Solicitor Shultis stated that we offer more transparency now than we have in the past and explained the timeline of creating a resolution from beginning to end. He stated that if the Board approves these to move forward, it will be placed on the July Agenda for public view and comment before the Board acts.

Mary Epellman, Straw Acres Road, requested that she not be videotaped during her comment. She questioned the new trash contract with Penn Waste and wanted to know and understand the process in getting the bids. Solicitor Shultis explained that we received one bid.

Renan Castillo, Cannery Court, questioned the rule that questions cannot be asked during public comment from the audience. He feels that a rule was enforced for one commenter but not for everyone. Chairman Hansen explained that we have a three-minute rule and that we cannot answer all questions being asked by the audience. He questioned the transparency issues regarding the cancelled executive session. Chairman Hansen then stated that the Executive session was going to be about the issue with the police board and the lawsuit pending against the township.

Tara Wenzel, Deagan Road, submitted for consideration to the Board, a new list of rules and regulations for the park. She thanked Sandi Stine for putting it all together. She mentioned they have met with a Master Planner and received feedback on where to place the signs

Bob Stine, Straw Acres Road, discussed the Resolutions listed on the agenda and wanted clarification on how and when the community would have the opportunity to comment on them.

Mike Myers, Pine Drive, requested that the Board keep the meeting moving forward by enforcing public comment and do follow up questions at the next meeting.

Mark Hudak, Porters Road, discussed the trash contract and questioned whether the price was fixed. He acknowledged the already existing escalation clause and was questioned whether there could be additional increases within the contract time. He also brought up questions about the ongoing legal issues regarding the NYCRP. Vice Chairman Bollinger gave a brief update, but the board is unable to comment further at this time.

Paul King then requested an amendment to the agenda under recreation page three of 5. "The Recreation Board would like the BOS to consider their recommendation to appoint TerryLynn Ross to fill the vacant seat created by Nick's resignation." He feels that statement is false and misleading. He stated the board did not make any recommendation and that there was no discussion or vote at their meeting. He feels that this is a misleading statement and is an attempt to influence the BOS's vote and wants to discuss it in an executive session. Supervisor King then made a motion to remove the portion under Recreation in the parenthesis as this is a false statement. Chairman Hansen then made a second. Motion passed 3-0. Then Chairman Hansen made a motion to table any decision on appointment of additional rec board member until the next Rec Board Meeting followed by the BOS meeting in July with the understanding that the Solicitor will look at the rules of the rec board and will come back with a recommendation. Supervisor King then questioned the vacancy clause and how long the BOS has to appoint someone to the Rec Board. Then Chairman Hansen withdrew his motion.

5. Approval of BOS Minutes

Chairman Hansen made a motion to approve the May BOS meeting minutes. Supervisor King made a motion to have an amendment to the minutes requesting a word for word change that he recited and felt happened at the last meeting. There was no second to Supervisor King's motion to amend the minutes so that motion died. Supervisor King then made a motion to add another amendment to the minutes. "Under page 2 of 7, first paragraph, last line. "Vice Chairman Bollinger advised Supervisor King... that should be changed from advised to reminded and that he will get to have his should be eliminated in the executive session and at a later time should be eliminated. And then add I was ok with executive session being held later." Vice Chairman Bollinger seconded. Motion passed 3-0. Supervisor King then made a motion to amend the minutes a third time stating, "page 7 of 7, third paragraph down, after Medicare that he received should be replaced with supplemental reimbursement that he was not entitled to." Chairman Hansen seconded the motion. Motion passed 3-0. Chairman Hansen then made the motion to approve the May minutes based on the two changes that Supervisor King requested. Vice Chairman Bollinger seconded. Motion passed 3-0.

6. Communications

Chairman Hansen announced that Savvy Citizen is up and running and asked everyone to join in order to be kept notified of all upcoming events, meetings and community news. He stated that it is free to join.

Chairman Hansen acknowledged receipt of Porters Community Fire Company Financial Statement for the year ending 10/31/2023.

7. Public Safety

Porters Fire Company, Chief Walker gave the May Fire Report. He noted that they took 8 calls for the month of May with 5 of them being in Heidelberg Township. He noted that WellSpan EMS responded to 30 calls in Heidelberg in April. He gave an update on vehicles that are in service and on the latest fundraiser. He spoke about upgrades to the firehouse. He thanked everyone for supporting their events.

Northern York County Regional Police Department, Lt. Migatulski stated that ECI was awarded the bid for the cell tower at the substation on Thoman Road with construction scheduled to begin shortly with the project being done by the end of the year. Two events that are coming up-National Night Out, August 6, 2024, scheduled from 5:30pm-8:30pm at the Dover Borough Firehall and everyone is welcome, and everything is free. The second was one is the Dave Tome Annual Picnic on October 23, 2024, at 5:30pm at Little Creek Park in Jackson Township. This event is also open to the public.

Vice Chairman Bollinger gave an update on the Police Commission that met Tuesday night. He noted that positions were appointed. He stated there was a 20% increase in calls from last year this time to today in Heidelberg Township. There were 89 calls last year and 108 this year. Department wide there were 932 traffic citations in May of 2023 and 1128 in May of 2024. He offered updates on other crimes and citations in the township.

8. Planning/Zoning

Chris Walker offered the May Zoning Report. There were 7 permit applications received, 6 building permits issued and \$1860 was collected.

Vice Chairman Bollinger made a motion to approve the final subdivision plan for Andrew P Myers and James H Millar and Glenda M Millar drawn by Clark P Craumer, professional land surveyor, bearing drawing number C-23-020, dated 9/04/2023, last revised 4/17/2024. Seconded by Chairman Hansen. Motion passed 3-0

9. Code Enforcement

Chris Walker stated that we currently have 5 properties with action underway. He has been unable to locate the owners of two properties. One has made substantial progress on corrections. Three yard complaints are being mowed.

Finance

Chairman Hansen made a motion to approve the April's Treasurer's report, seconded by Vice Chairman Bollinger. Motion passed 3-0. Motion to approve May's Treasurer's Report by Chairman Hansen. Seconded by Vice Chairman Bollinger. Motion passed 3-0.

April

General Fund- Checking

Beginning Balance	\$457,041.52
Revenue	\$375,922.31

Heidelberg Township York County, PA
Board of Supervisors' Meeting Minutes

June 20, 2024

Expenses	\$157,991.21
Ending Balance	\$674,972.62

SouthWest PD Fund

Beginning Balance	\$31,722.59
Revenue	\$0.00
Expenses	\$0.00
Ending Balance	\$ 31,722.59

COVID Relief Fund

Beginning Balance	\$93,582.60
Revenue	\$3298.57
Expenses	\$ 3298.57
Ending Balance	\$ 93,582.60

State Fund Checking-Savings

Beginning Balance	\$245,330.14
Revenue	\$139,960.82
Expenses	\$ 0.00
Ending Balance	\$385,290.96

May

General Fund- Checking

Beginning Balance	\$674,972.62
Revenue	\$119,127.95
Expenses	\$61,641.73
Ending Balance	\$732,458.84

SouthWest PD Fund

Beginning Balance	\$31,722.59
Revenue	\$0.00
Expenses	\$10,690.00
Ending Balance	\$ 21,032.59

COVID Relief Fund

Beginning Balance	\$93,582.60
Revenue	\$0.00
Expenses	\$ 4091.15
Ending Balance	\$ 89,491.45

State Fund Checking-Savings

Heidelberg Township York County, PA
Board of Supervisors' Meeting Minutes

June 20, 2024

Beginning Balance	\$385,290.96
Revenue	\$3.26
Expenses	\$ 0.00
Ending Balance	\$385,294.22

Chairman Hansen made a motion, seconded by Vice Chairman Bollinger to accept the May's Bills Paid Report. Motion passed 2-1. Supervisor King voted no.

Chairman Hansen made a motion, seconded by Vice Chairman Bollinger to accept the May Office/Maintenance Activity Report. Motion passed 2-1. Supervisor King voted no.

Chairman Hansen made a motion, seconded by Vice Chairman Bollinger to accept the May Right-To-Know Report: Report Accepted. Motion passed 3-0

- 1 New Request received in May total YTD 32
- 0 voided by applicant in May
- 10 completed in May
- 0 RTK Officer requested additional 30-days for response
- 9 were due in May
- Received 0 Right to Know appeals in May filed on previous RTK requests
- April Estimated Township \$887.51/Solicitor Cost: \$1764.00 Total \$2651.51
- April Estimated Heidelberg Employee Staff Hours Spent on RTK: 32.25 hours
- Year to Date Township \$6453.73 / Solicitor Cost-\$5760.00 Total
- Year to Date Estimated HTWP Employee Hours Spent on RTK-192.25

Supervisor King then questioned the Assistant Right to Know Officer position and whether she was still employed. He then asked for an executive session, and it was denied by Chairman Hansen but stated that it would happen at a later date.

Chairman Hansen made a motion to approve the Fire Tax Payment per Resolution #2023-09 in the amount of \$50,649.16 by June 30, 2024 (\$49,997.50 calendar year 2024 tax collection and \$442.65 for prior year's tax collection) Seconded by Vice Chairman Bollinger. Motion passed 3-0

Chairman Hansen made a motion to refund the excess money not used by Logan Shearer in the amount of \$123.96 and by Noah Schneider in the amount of \$163.97 back to the Boy Scouts in the amount of \$287.93. It was seconded by Vice Chairman Bollinger and the motion passed 3-0. It was noted that they hope the refund would be earmarked for future projects within our Township.

11. Highway, Roads, and Streets

Chris Walker reported :

- That Thoman, Orefield, Cannery, Yingling, Locust, Sterner Drive and Sycamore have been mowed.

- Sycamore Drive work is complete
- 2002 Ford F-550 dump truck bed and hydraulics have been replaced and is back in service
- High Rock Road mowing and cold patching is underway, and we will be getting to the other roads as weather and schedules allow.

12. Engineer

Nothing to Report.

13. Recreation

Solicitor Shultis explained the process for filling a vacancy on the Rec Board based on our ordinance and the second-class township code. Then he also made a statement that any resignation becomes effective the date the BOS accepts, provided it is within 45 days. The Board can appoint within 30 days of the accepted resignation. Chairman of the Rec Board, Tara Wenzel then clarified how they came up with a recommendation and how she submitted a list to the Board/Township Office. She asked questions on what the process is to be since they cannot vote. Solicitor Shultis suggested making a recommendation to the BOS after voting at their next Rec Board meeting. Chairman Hansen made a motion to accept, with regret, the resignation of Nicholas Gentile from the Heidelberg Township Recreation Committee effective 5/20/2024. Seconded by Vice Chairman Bollinger. Motion passed 3-0. Then Chairman Hansen made a motion to table the appointment of any new member to the Rec Board until the

Rec Board has a chance to vote on their recommendation at their next Rec Board meeting. It was then discussed that they would need to move their next meeting up in order to get that recommendation made before the next BOS meeting. A question was asked by the audience regarding why the alternate wouldn't automatically become the new member. Vice Chairman Bollinger made the second. Motion passed 2-1 with Supervisor King voting no.

14. Water Committee

Chairman Hansen noted that first quarter water bills were due 4/13/2024 and that we currently have 3 delinquent accounts and that second quarter water bills were mailed out 5/30/2024 with the new service fee of \$80 in effect.

He acknowledged receipt of the 2023 Annual Drinking Water Quality Report

Chairman Hansen made a motion to approve lawn care service to the low bidder CRF Lawn and Landscaping LLC for mowing, trimming, and blowing off all hard surfaces at a rate of \$65.00 per visit. Vice Chairman Bollinger seconded the motion. Motion passed 3-0.

15. Solicitor

Solicitor Shultis mentioned Resolution 2024-08 establishing the policy for interaction between elected officials and township management and staff and Resolution 2024-10 establishing certain guidelines for disclosure of certain records or information of the Township entrusted to elected officials of the Township. These are both draft forms and are not up for approval today. It is only for information and comment. The idea would be to get them on the agenda in an upcoming meeting. Chairman Hansen made a motion to table both Resolutions and it was seconded by Vice Chairman Bollinger. Motion passed 2-1 with Supervisor King voting no.

Chairman Hansen made a motion to authorize the Township Solicitor to create a Solicitation Ordinance to be administered through NYCRP Department which will include fees, application and terms of license. The motion was seconded by Vice Chairman Bollinger. Discussion by Supervisor King. He is questioning why we need a license and feels that this is unnecessary as people who have bad intentions won't fill it out correctly anyway and that this is a way of life in America. Chairman Hansen questioned Lt Migatulski about surrounding townships that are served by NYCRP and he answered that most of them have some sort of ordinance. Supervisor King questioned whether it can be placed on Savvy Citizen if there is an approved license. Motion passed 2-1 with Supervisor King voting no.

16. Supervisors

Chairman Timothy Hansen

Chairman Hansen made a motion to appoint 3 Heidelberg Township Water Committee members: Travis Laughman, Heather Altland and Alan Miller. Supervisor King stated this cannot happen as the Water committee is to include one supervisor, one customer of the water company and some who has familiarity of the water system. Vice Chairman Bollinger wants to amend this and agrees with Supervisor Kings' points. Supervisor King announced that Vice Chairman Bollinger cannot be on the Water Committee because he had a heart attack and does not need more stress. Vice Chairman Bollinger said he would be happy to assist Supervisor King in anything he needed regarding the water committee. Supervisor King stated he would prefer it be Chairman Hansen but if he gets appointed that would be fine. The first motion died due to a lack of a second. Vice Chairman Bollinger made a motion to table this until we have a better plan. Chairman Hansen seconded it. Motion passed 2-1 with Supervisor King voting no.

Chairman Hansen made a motion to ratify the actions of the proper officers of the Township in approving the change from PennDOT approved 25 mm base material to a PennDOT approved 19 mm binder material at the same thickness for an amount not to exceed \$1.61 per square yard. Vice Chairman Bollinger seconded the motion. Motion passed 3-0.

Chairman Hansen made a motion to ratify the actions of the proper officers of the Township in allowing the qualified C.S. Davidson construction inspector to direct the contractor to, or not conduct replacement of existing 24-inch diameter (SLCPP) smooth lined corrugated plastic pipe on Liberty Road consistent to conditions found in the field. Vice Chairman Bollinger seconded the motion. Motion passed 3-0.

Chairman Hansen made a motion to approve Resolution 2024-09 setting wage rates for various township employees/appointees. This Resolution appoints Judy Mustard secretary and assistant treasurer at a rate of \$29 per hour. Vice Chairman Bollinger seconded the motion. Discussion by Supervisor King. Supervisor King stated that he has to vote against this as we have an employee who no longer works here and found out about it today. Then I find out we are going to have an executive session to inform me about something that has already taken place. We haven't heard back yet on Chris Walker's compensation and if it's not ready or whatever. I can't keep voting for stuff on personnel when there are loose ends hanging everywhere else. He also added that compared to other townships the secretary will be paid pretty well if this goes through. Motion passed 2-1 with Supervisor King voting no.

Chairman Hansen made a motion to approve the request from Providence Community Church for the fireworks display on July 4, 2024. (The church is requesting the BOS to accept their general liability coverage of 3 million which addresses the concerns for payment of damages in place of current bonding requirement). Vice Chairman Bollinger seconded the motion. Solicitor Shultis noted that accepting their GL coverage listing the township as an additional insured. Motion passed 3-0.

Vice Chairman Matthew Bollinger

Vice Chairman addressed Manager Krebs questioning whether we can print off a profit vs loss sheet every month. Manager Krebs stated that it can be done now that 2022 audit is in and she can balance all of the statements to get us up to 2024. On July 1st, the operator of the water company and himself will be handling the DEP water inspection.

Supervisor Paul King

Supervisor King wants to rescind the amendment to employment agreement for the Township Manager as a result of a RTK-he discovered that we are not in compliance with the agreement as written. He feels the first step is to rescind the part we are not in compliance with. Supervisor King then made a motion to rescind the amendment to the appointment agreement for the township manager. Vice Chairman Bollinger then questioned what points or ideas are in conflict. Supervisor King stated that it is the part that has to do with dollar amounts and dates which were not done. Vice Chairman Bollinger then stated that he would like legal council to advise before he entertains this motion. Chairman Hansen asked Supervisor King to provide his objections in writing. Supervisor King stated that it is paragraph 2 of the amended agreement. The first motion died due to a lack of a second. Chairman Hansen made a motion to table this until the Solicitor has a chance to review it. Vice Chairman Bollinger seconded the motion. Motion passed 3-0

Supervisor King then noted that 2 months ago the Solicitor made a comment in response to Mr. Hudak's question about the cost of RTK's and the Solicitor stated that previous employees of the township kept the records in boxes and that it was time consuming to go through boxes. He feels the blame falls on the BOS as they are responsible for the running of the office. He feels that if we don't start digitizing the records the same complaint made against previous employees will also apply to our current employees. So, let's get started on digitizing our records. He feels there are numerous ways to get this handled as there are companies that do this, we could do it in house or get interns to handle this. He wants the manager to report to the BOS at the next meeting, ways to digitize our records as we move forward and feels there is money available from the Covid money. Chairman Hansen and Vice Chairman Bollinger agreed.

Supervisor King wants to hire part-time office help and has brought it up several times. He wants people to be trained when Manager Krebs leaves her position. He feels Judy should be involved in the interviewing, hiring, and training. He then made a motion for the BOS to authorize the advertising of a part time office position. The motion was seconded by Vice Chairman Bollinger. The motion passed 3-0

Supervisor King brought up a program called Permit Manager and questioned whether Chris Walker had heard of it. It is a program used by other townships and feels it may be a help to Chris Walker. He asked that Chris Walker give a report on it at next month's meeting.

Supervisor King then discussed the Rails to Trails parking area from the TWP to the York County Rail Trail Authority. He said that we need to either give it to them or sell it to them. There is also a lease program. He filed a RTK to look into this. He wants to just give the land to them and feels this is the cheaper way to handle this. He then asked the BOS to authorize the transfer of the property of the Rails to Trails parking area to be transferred to the York County Rail Trail Authority. Chairman Hansen agrees with him, but it requires that the BOS look into the deed and the subdivision issues. Chairman Hansen made a motion to authorize the Solicitor to investigate the township donating land to York County Rail Trail Authority for a parking lot. The motion was seconded by Supervisor King. A question was asked as to why we would give this away. Motion passed 2-1. Vice Chairman Bollinger voted no.

Supervisor King then started that he received a letter from the Manager on May 14, 2024. He then read the letter to the board and the audience. He then showed receipts that he received the township office and the manager stating what the checks were for. He then said an executive session was needed for a legal issue, personnel employment and the township manager position. Vice Chairman Bollinger then stated that he would be ok with an executive session at 11:00am on July 15, 2024, prior to the next BOS meeting.

17. Old Business

None.

18. New Business

None.

19. Upcoming Meetings

Chairman Hansen stated that the Zoning Hearing Board will meet June 26, 2024, at 7:00pm

The Planning Commission will meet July 17, 2024, at 6:00pm

The Recreation Board will have an amended meeting date to be announced.

The Board of Supervisor's Regular Scheduled Meeting will be July 15, 2024, at 12:00pm at the Township Building

20. Adjourn

Chairman Hansen made a motion seconded by Supervisor King to adjourn the meeting at 1:29PM. Motion passed 3-0.


Judy Mustard
Township Secretary