

**Chanceford Township, York County
Board of Supervisors Regular Meeting
September 13, 2010**

MEETING DAY AND TIME: September 13, 2010

Eric Bacon opened the regular meeting of the Chanceford Township Board of Supervisors at 6.58 p.m. in the Community Bldg., 51 Muddy Creek Forks Rd., Brogue, PA. He led those in attendance in the pledge to the flag.

Members present: Chairman Eric Bacon, Vice-chairman Bradley Smith and Member Kent Heffner.

Others present: Attorney Timothy Bupp (arrived approx. 8:15 p.m.), Engineer Casey Deller, Zoning Officer Jeffrey Koons and Secretary-Treasurer Brenda Gohn.

APPROVAL OF MINUTES:

Bradley Smith made the motion to approve the minutes of 8/9/10 & 8/23/10 as written. Seconded by Kent Heffner, motion carried.

FIRE CHIEF'S REPORT:

Chief Witmer will submit his report at a later date.

BROGUE AMBULANCE REPORT:

No representative present to give report.

PUBLIC COMMENT:

Scott Gingerich, Chief of Felton Fire Co., stated that on August 25, he was asked to attend a meeting at New Bridgeville Fire Co. at which time he was informed that Felton Fire Co. would no longer be first due in Chanceford Township effective as soon as the boxes could be changed. Also there would be no additional monies donated. He was present to find out if this is true.

Eric Bacon stated that it was discussed and at the meeting of August 23, New Bridgeville asked the Board if they could be first due. At that time, they were asked if they felt they were capable and they felt they were since it will continue to be dual dispatch.

When asked how long Felton Fire Co. has been first due, Chief Gingerich said as long as he can remember—probably twenty years. He agreed there is a dual dispatch.

The Chairman asked why Felton Fire Co. did not come to the township to discuss this if they felt a bad decision was being made. Mr. Gingerich stated that the township was contacted but the Supervisors did not respond back. Eric Bacon stated there was not ample time for a meeting to be held before the meeting at Chanceford Crossings due to advertising requirements.

Scott Gingerich stated that the ISO (Insurance Support Organization) rating for Chanceford Crossings residents will go from five to nine. Eric Bacon stated that the Township Solicitor checked with the state and found this not to be the case. Scott

Gingerich stated that ISO sets its rates on pre-plan. That is how it is set up to be regulated within the state of Pennsylvania and if New Bridgeville Fire Co. becomes primary, they will set the rates accordingly.

Eric Bacon stated that apparently there is conflicting information but the township does not want any resident's insurance rates going up.

Mr. Gingerich gave a report on various fund raisers held in 2009 totaling \$37,877.00 and various expenses for radios, utilities and insurance totaling \$61,467.00. At the present time, Felton Fire Co. serves 378 households. He further stated that he feels Felton Fire Co. is being overlooked and is not being given the opportunity to explain what Felton Fire Co. offers and does. He touched on dual response by saying it is for structure fires only—not vehicle or CO2 detectors. Therefore, New Bridgeville Fire Co. would be running if there is a vehicle accident in Chanceford Crossings. Once New Bridgeville has control of the boxes, they can change them in any way they like.

Bradley Smith stated that the Board was given a projected date of January 2011 for this change but no definite date was set.

Eric Bacon explained that this meeting is for fact finding and all the facts need to be verified before any decision is made.

Charles Tudor, a career firefighter for Baltimore County, stated that first due is usually determined by mileage to satisfy the ISO ratings. He further stated that this decision will increase his insurance premium and that a decision should be made with public safety in mind.

Eric Bacon made the point that Felton Fire Co. is only two miles from Muddy Creek but is not one of their first due areas.

Scott Gingerich commented that out of a total of thirty-seven calls in Chanceford Township, seventeen were in box #43 and twenty in box #39.

William Naff stated that New Bridgeville Fire Co. has more miles to travel which creates more of a safety hazard to the motoring public. Felton Fire Co. has one conflict point (left turn) in their one and one half miles to Chanceford Crossings. New Bridgeville Fire Co. has five conflict points (three stop signs and two left turns) in five miles to Chanceford Crossings. Seventy-five firefighters lost their lives in the line of duty in 2008. Thirty-two percent of those were either returning from or going to emergency situations. He quoted that ISO states that the engine company should be within one and one-half miles and according to the Suppression Rating Schedule, fire stations should be situated to achieve the most effective and safe emergency response. With regards to the medical box, CPR must happen within four minutes and this will not happen with New Bridgeville Fire Co. Mr. Naff stated that if the first due is changed, his insurance will go up thirty percent (copy of letter from his insurance company was submitted). Mr. Naff finalized by saying there is no justification, safety wise, to change fire companies.

Bradley Smith made the point that Felton Fire Co. also has a very bad curve to maneuver in winter weather. Mr. Naff replied that Felton Fire Co. makes a trip to Chanceford Crossings on snow mobiles to make sure everyone is okay and New Bridgeville Fire Co. would have similar problems in bad weather.

Gen Jackson and Leona McClelland submitted petitions to retain Felton Fire Co. as first due and to request a formal contract be drawn up between the township and Felton

Fire Co. Mrs. McClelland also asked why the Felton Fire Co. was not asked to attend the meeting. She was made aware that the two fire companies did have a meeting.

A resident was concerned with the response time regarding school children waiting for buses.

There was discrepancy as to who initiated the action of New Bridgeville Fire Co. becoming first due in Chanceford Crossings. Chief Witmer explained that the meeting he attended, the Supervisors came to New Bridgeville Fire Co. regarding them being first due. However, he was not in attendance at the August 23 meeting. Mr. Witmer was asked about the 2009 Fire Relief Association check that has not been released as yet. He deferred this question to Daryl Miller. Mr. Miller explained that a new law has been put into place whereby if relief funds are used to purchase any truck apparatus, the Relief Association has to be included on the title. The solicitor for the fire company is taking the necessary steps to rectify this problem.

It was mentioned that five residents from Chanceford Crossings are volunteers for Felton Fire Co.

Bradley Smith, by way of explanation as to who initiated the action, stated that this change has been discussed for sometime and at one of the meetings, he mentioned to Chief Witmer about becoming first due in Chanceford Crossings and whether he could take care of this area. It was at the August 23 meeting that New Bridgeville Fire Co. approached the Board about becoming first due. Eric Bacon concurred.

Chief Witmer was asked by a resident that after all that has been said, does he still feel New Bridgeville Fire Co. should be first due. Mr. Witmer replied that he did not feel that New Bridgeville Fire Co. should be first due.

Gary Ford, an eighteen year resident, stated he would like to see the Felton Santa Claus program continue.

William Kirsch stated that he would also like to see a contract between Felton Fire Co. and the township.

It was stated by Gunther Knickel that law requires a contract. Eric Bacon stated that the township does have a Ordinance that was created in 1996 recognizing Felton and New Bridgeville as the township fire companies. Scott Gingerich felt this was sufficient to satisfy the requirement.

Kathleen Smith asked for a timeline on this decision because she wants assurance that Felton Fire Co. continues to be first due and continues to be financially supported.

Eric Bacon stated that the contact will take more time to deliberate. However, due to the overwhelming response and Chief Witmer's statement, Bradley Smith made the motion to retain Felton Fire Co. as first responder and to keep the monetary contributions as is. Seconded by Kent Heffner, motion carried unanimously.

Tony Flores, Pine Valley Drive, asked the Board to consider an ordinance to prevent something like this from happening in the future and require the Board of Supervisors to send some type of notice, other than in the minutes, to the residents when it affects public safety in an area.

Randall Smith asked the Board to put in the minutes a motion to consider a contact. The Board and Scott Gingerich agreed that a contact will be entertained in the future.

The floor was closed to the public at 8:25 p.m.

SHAFFER SUBDIVISION PLAN:

Neil Shaffer was present to give an update on his proposed subdivision plan. He stated that a hydrogeologic study has been completed and came back favorable. Probes were completed. Mr. Shaffer was asked to obtain a timeline from his engineer with regards to when a plan will be complete for submission and inform the secretary. The Board has requested a plan be submitted no later than the December meeting.

AMISH SCHOOL:

Steve Fisher and his committee were present to ask for a waiver from the land development plan requirement of Section 303.2(b). All requirements have been met. He was made aware that a building right will need to be utilized for this school. An executed copy of the lease agreement was submitted.

Eric Bacon made the motion to grant the waiver from the requirement of Section 303.2(b). Seconded by Kent Heffner, motion carried unanimously.

SUBDIVISION PLAN FOR REVIEW:

Scott E. & Jennifer M. Taylor Final Plan #09052 – Eric Bacon made the motion to table the plan due to the lack of representation or revised plans. Seconded by Bradley Smith, motion carried unanimously.

ZONING OFFICER'S REPORT:

Chanceford Crossings – Leona McClelland, 154 Cold Stream Trail, has been filing complaints regarding loud earth moving activities on the neighboring property. Jeff Koons measured the noise and found it to be less than noise from a lawn mower. Mr. Koons talked with Mr. Edmundson about this matter and he told Mr. Koons that it is a temporary situation and will end soon. He is land scraping his property. Jeff was directed to generate a letter notifying him of the hours of operation as allowed in the Zoning Ordinance.

Whispering Pines – a resident has large amount of recycling materials stored outside on his property. Jeff will generate a letter to the owner of Whispering Pines.

Kerry Posey – no further payments have been received. Bradley Smith will contact him.

Scott Zurin – no response or progress on the clean up of his property. The solicitor will contact Bradley Smith after September 23 and proceed from that point.

Jeff Koons left the meeting at 8:45 p.m.

ENGINEER'S REPORT:

Act 537 Plan – was sent into York County Planning Commission for review. It will be reviewed in October. C. S. Davidson continues to work on the educational documents. Awaiting to hear from DEP on the revisions.

Manor Furnace Rd. Culvert Project – shop drawings were received and approved with some minor comments. Fabrication will begin. The updated schedule is eight weeks which is unacceptable. It needs to be done in six or fewer weeks. Stake out is tentatively scheduled for Friday.

Mt. Zion SWM Plan – Eric Bacon made the motion to approve the stormwater management plan and enter into the agreement stating how it is to be maintained. Seconded by Bradley Smith, motion carried unanimously.

SWM Ordinance – Casey continues working on a streamlined version.

Bridge Inspection – C. S. Davidson needs to schedule a meeting with the Roadmaster to review the findings from the 2009 Bridge Inspection Program. The Board felt it was a good idea to hold this meeting before the Roadmaster meets with Mr. Thompson who has been assigned to Texas Eastern Transmission, LP.

SOLICITOR’S REPORT:

Atty. Bupp stated that the letter that was presented by William Naff from his insurance agent is no accurate in that it says your Home Owner’s Policy will increase if your fire company moves. Mr. Bupp stated that he was contacted after the August 23 meeting to do research to determine if this change was going to have adverse effects on the residents. He talked with McConkey Insurance Agency and ISO and found no evidence to support the claim that this proposed change would have any negative effect on everyone’s insurance rates.

Comcast Renewal – Bradley Smith feels Comcast should extend their cable lines within the township. Tim will discuss this with Comcast.

PENSION:

Bradley Smith made the motion to approve the Minimum Municipal Obligation for the township employees. Seconded by Eric Bacon, motion carried unanimously.

BROGUE AMBULANCE:

The secretary was asked by a resident why Brogue Ambulance does not need a formal audit. The Board felt they do need one and Bradley Smith made the motion that Brogue Ambulance have a formal independent audit performed. Seconded by Kent Heffner, motion carried unanimously.

ROADMASTER’S REPORT:

Tar and chipping has been completed.

Work on the Chanceford Crossings inlet boxes will begin again.

Mower has been sent out to be repaired.

Kent stated that he feels New Bridgeville Fire Co. should attend the pipeline emergency training.

APPROVAL OF BILLS:

Eric Bacon made the motion to approve the payment of all bills in a manner approved by law. Seconded by Bradley Smith, motion carried unanimously.

PUBLIC COMMENT:

Tim Bupp, as a resident on Laurel Road, stated he supports the decisions made by the Board tonight. However, he has a real concern as to how these residents became so agitated. It is discouraging to see this happen and if it is through an organization that we support and work with, then it is very disconcerting. The rank and file in the Felton Fire Co. should know enough to talk with their chief and the officers before calling a meeting and getting people wound up which obviously is not correct. We are fortunate to have two good fire companies in the township. When a problem arises, these fire companies need to approach the Board. Mr. Bupp commented that the vast majority of the people that reside in this township were not present at this meeting.

ADJOURNMENT:

Eric Bacon made the motion to adjourn the meeting. Seconded by Bradley Smith, the meeting was adjourned at approximately 9:39 p.m.

Respectfully submitted,

Brenda C. Gohn
Secretary-Treasurer